

# Exhibit 1

Dec 13<sup>th</sup> 2003 Saturday Overtime

FOREMAN: Gary Gephardt \*Pat Camp \*

(former union steward)

Machine: Working 600+4

I was preparing to shutdown the machine for dinner time (6:55pm). I was skimming the pot of metal and I felt tingling in my hands. I didn't realize I was being shocked at the time, so I continued. Sparks then flew and I heard a popping sound. I got zapped!

I threw the pot skimmer and I reported this to both supervisors who were about 10 yrs away. They ~~act~~ acted as if they didn't believe me and they proceeded to check it out themselves. Gary skimmed the pot and the same result (shock). He didn't get the full effect as myself but he felt it also. I told them that I was not running the machine after lunch because it was unsafe.

Witness: John Garfield 600+2) I looked for a 1st responder to do a medical report on my injury, none was available. At 7:30 I went to my machine to report to Pat & Gary and advise them that I couldn't find a 1st responder and my hands and arms were numb. They started up the machine anyway and told me that I could handle it... I told him that I WAS not going to work injured, he just sighed as if "whatever." He continued to run the machine and I stood until Pete Linsley arrived.

(Union Steward)

Pete did the Medical Eval. and I explained to him that my arms and hands hurt pretty bad & I couldn't work at that time.

When we went back out on the floor they (foreman) already had another machine up & running for me to work on. I told them that this was "bullshit". With no regard to how I'm feeling or my injuries they just wanted production.

(Bruce Zeigler witness) Came up to me afterwards maintenance and told me that Pat Camp was "bitching" and ranting raving that I was taking too damn long in getting medical treatment.

\*\* The pot was not grounding at all to anything. I was being shocked by 440 volts.

Maintenance: Bill Diehl, Bruce Zeigler

\*\* I went to the hospital on Monday because the pain continued throughout the weekend. I was given permission by Ron Sayers. I was docked pay and not reimbursed

Friday April 23<sup>rd</sup>

\* I was approached by Jim Henry <sup>1st shift</sup> utility He told me that while I was on leave a threat was made regarding me. He said he was inquiring about a hole that was being

dog in the new Tool Room. He asked why was it so big and what was going in it. The reply from Bill Darnell (Maint. Super) was that "he would like to put me in it." Jim said he reported this immediately to Jay Smith (Union Stew). Nothing was ever done about this incident until I call Mr Smith on April 26<sup>th</sup> about 10 AM. Mr. Smith said that he didn't take the comment too seriously and that I shouldn't. I told him under the circumstance everything said about me is taken seriously considering all that I'm going through. He said he'd report it to Human resources & he did.

Need to establish - no retaliation - in best interest of Rec.

→ Get Health Unit.

→ When (incident) made to wash monitors - Dancing - assault on pride -

# Exhibit 2

ECHRC can investigate complaints of discrimination based upon race, color, religion, ancestry, age (40 and above), sex, sexual orientation, national origin, non-job related handicap or disability, known association with a handicapped or disabled individual, possession of a diploma based on passing a general education development test, or willingness or refusal to participate in abortion or sterilization.

## IN-15 FORM HARASSMENT QUESTIONNAIRE

Questionnaire on the incident you are complaining about.

To avoid rewriting your answers, please read this short questionnaire from beginning to end before filling out your answers to individual question. Please answer every applicable question as fully as possible, and to the best of your present knowledge, information and belief. If you are unsure of your answer, please say so. It is your responsibility to notify this Agency of a change of address or times of unavailability. Failure to notify this Agency may result in dismissal of the matter.

Name Cari M. Goodwine

Address 2905 Pennsylvania Ave.

City Erie State Pa Zip Code 16504

County Erie Telephone No. H 814) 454-5049 W 814) 474-5511

May we call you at work? Yes        No ✓

**Caution:** Failure to correctly identify the name of the legal entity you are complaining about will hinder the processing of your complaint. Bring pay stubs, W-2 forms, contracts, etc. to aid in verification of the name and address.

Name of Organization your complaint is against:

Name P.H.B. DieCastings, Inc.

Address 7900 West Ridge Rd.

City Fairview State Pa Zip Code 16415

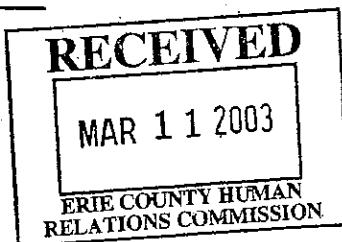
Type of Business Metal Shop / Aluminum-Zinc

County Erie Telephone No. 814-474-5511

Number of employees who work at the organization named above. Please check one.

Less than 4        15 to 100        201 to 500        Unknown       

4 to 14        101 to 200        501 plus ✓



IN -15 FORM

## Harassment Questionnaire

(page 2)

Name and address of person who will know how to contact you and who does not reside in your home.

Name Patricia GoodwineAddress 2127 Woodlawn AveCity Erie State Pa Zip Code 16510Telephone No. H( ) 898-2959 W( )

In this Questionnaire, you will see the word class mentioned. Class means the person=s race, sex, age, ancestry, religion and so on. Depending on the issues in the complaint, you may belong to two or more classes. For example, a Black female could belong to two classes: race/Black and sex/female. A White male could belong to race/White and sex/male. All persons named in the complaint or questionnaire should be identified by their class as follows: John Doe (White male), John Doe (under age 40), Jane Doe (Black female). For example, if your complaint is based on race, include the race of all persons mentioned. If it is a sex complaint, mention the sex of all persons mentioned.

1. Discrimination means difference of treatment. Please explain what happened to you and why you feel you were treated differently. In other words, what happened to persons of a different class that makes you feel they received more favorable treatment than you.

'My foreman made a comment to another co-worker (white male) that, "We have to make it harder them'. Referring to us white mex (we) and them meaning black males.

2. If you believe the organization treated you this way because of one or more of the reasons listed below, please check those reasons. If you believe the employer treated you this way for a reason which is not listed, explain what you believe to be the reason.

<input checked="" type="checkbox"/> Sex	<input type="checkbox"/> Ancestry	<input type="checkbox"/> Age (40+) Date of Birth
<input checked="" type="checkbox"/> Race	<input type="checkbox"/> National Origin	<input type="checkbox"/> Use of guide dog or support animal
<input checked="" type="checkbox"/> Color	<input type="checkbox"/> GED	<input type="checkbox"/> Participation in/or refusal to participate in
<input type="checkbox"/> Religious Creed	<input type="checkbox"/> Sexual Orientation	<input type="checkbox"/> Abortion/Sterilization
<input type="checkbox"/> Retaliation	<input type="checkbox"/> Non-job related handicap/disability	<input type="checkbox"/> Identify your disability

3. Who is harassing you?

Name Mary Gephant CLASS White, male

Job Title/Dept Aluminum Foreman

4. How is this person harassing you? Please explain.

Since the incident frequently walking by me making comments to other foremen.

IN-15 FORM

## Harassment Questionnaire

(page 3)

5. How do the actions taken by the harasser against you differ from the actions your employer or your co-workers normally would have taken in similar circumstances?

They differ because he singled me out because of my race, using the terms "we" and "them". He is also using his authority as a former to get away with his actions.

6. Did you complain to management about the harassment?

Yes  No

If yes, who was this person?

Name Benjamin Hancock CLASS White male  
Title/Dept. Human Resources Director

- 6a. What action was taken by management?

None. I've personally had problems with Mr. Hancock since being hired concerning, unemployment issues and pay issues.

- 6b. As a result of going to management with your complaint, did your work situation improve or get worse?

Better  Worse

Please explain.

Other former coworkers lack of help, given dirty looks, and lack of communication.

7. Are you a union member?

Yes  No

If yes, what is the name of your union?

United Steel Workers of America

Address 7900 W Ridge Rd. Fairview st.

703 French St.

Telephone Number (814)474-5706

Business Agent Breg Bible (Fairview)

(FAIRVIEW)

455-1337

(ERIE)

IN-15 FORM

## Harassment Questionnaire

(page 4)

8. Did you file a grievance regarding the above problem?

Yes \_\_\_\_\_ No

If so, attach a copy of the grievance. Explain what step your grievance is in now. Give both step number and letter, and the name and title of the union official dealing with your grievance.

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9. Are you a civil service employee?

Yes \_\_\_\_\_ No

Did you file a civil service complaint regarding the above problem?

Yes \_\_\_\_\_ No

What is/was the status of your civil service complaint, if applicable?

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10. Have you filed a complaint about this matter with any other commission or agency?

Yes \_\_\_\_\_ No

If so, please specify the commission or agency and the date you filed, to the best of your recollection.

Commission or Agency \_\_\_\_\_

Date Complaint Filed \_\_\_\_\_

Docket Number, If Known \_\_\_\_\_

11. Have you taken any court action regarding this matter?

Yes \_\_\_\_\_ No

If so, please specify in what court and the date you filed, to the best of your recollection.

Name of Court \_\_\_\_\_

Date Action Filed \_\_\_\_\_

City \_\_\_\_\_ County \_\_\_\_\_

If there are other facts you feel should be considered, record these on the last page of the questionnaire (Continuation Page).

IN-15 FORM

Harassment Questionnaire

(page 5)

I hereby verify that the statements contained in this complaint are true and correct to the best of my knowledge, information and belief. I understand that false statements herein are made subject to the penalties of 18 P.A.C.S. Section 4904, relating to unsworn falsification to authorities.

Cari M. Goodman

Signature

3-8-03

Date

2905 Pennsylvania Ave.

Address

Erie Pa 16504

City, State and ZIP Code

814/454-5049

Telephone Number

(before 1:30 PM  
work 2<sup>nd</sup> shift)

- NOTICE -

For Equal Employment Opportunities Commission@ Filing

The Erie County Human Relations Commission does not cross-file complaints with the EEOC.  
To further protect your rights, we urge that you contact the EEOC at (412) 644-3444.

# Exhibit 3

### Affidavit

My name is Clarence G. Oliver. My race is Black. I reside at 453 E. 28<sup>th</sup> Street, Erie, PA 16504.

I have been a die case production operator for PHB for 16 years. My supervisor is Gordy Phillips. I am currently on a medical leave of absence. I was on a medical leave of absence from January 2002 through February 16, 2003. I worked for about a month through March 13, 2003. I aggravated my injury during that time and have been off work up to the present time. I do not know when I will be able to return to work.

I often feel that I get assigned the more difficult jobs. These are the heavier jobs with big castings that have to be lifted out and moved around. I feel that I may be assigned to these jobs because I am a strong person and can handle the heavy work. I do not know if I will be able to continue to do that due to my injury.

The company has a policy that after being assigned to a difficult job for a week, you can ask to be taken off that job. I have done it and have been removed from hard jobs.

Several years ago, Supervisor, Gary Gebhart, called me "Buckwheat" when he was doing some computer work. I did not like that but did not complain to anyone about it. I complained to Bob Stranizar several years ago, that I believed that Gary Gebhart was riding me and calling me names. He got me irritated and I responded by calling him a fat slob on one occasion. After my complaints Gary Backed off me a little bit. I also switched to the third shift for personal reasons. When I complained about Gary I did not state that I believed the treatment I received was related

to my race.

I was told by a white friend, Glenn Zambach, that Gary made an offensive remark to Zambach. Zambach had a camp in the same place as Gebhart. Zambach invited me to go there over the weekend. He told Gary that I was coming and that we might stop by to see him. Gary told Zambach that he didn't want my "kind" out by his camp. I believe this occurred in 2001.

GARY HARDIK - another Line Foreman (Different Department)

Many years ago, Gary Gebhart, asked me "What is with you guys?" He was talking about Black C.G.C. people in reference to a TV show about America's Most Wanted. He noted that most of the 10 most wanted individuals were black.

I have never observed a KKK sign or burning cross scribbled on the walls in any of the restrooms. I have never witnessed or heard about people spitting chewed up sunflower seeds in the drinks of black employees or smashing their snacks.

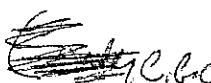
I have also complained about Mike Wieder, a foreman in the zinc die case department. I complained that he was uncommunicative and did not assign me to work the newer machines. Instead he was giving those assignments to employees with less seniority than me. I have discussed this matter with Ben Hancock, HR Manager, Chet Kimpinski, CEO, Stratizar, Greg Bible, Union President, and Ron Stairs. I did not state that I believed I was treated this way because of my race.

When a machine breaks down, it is generally the practice to assign the same operator back to the

machine when it is fixed.

It is the company's practice to require operators to write an explanation when a part breaks or production is halted. It is not usually required for small things like drill bits. However, it would depend on how the drill bit was broken.

There are a lot of employees who live out in the country who work for PHB. I feel that the company would benefit by providing diversity training to its employees and foremen. I feel there is a lot of favoritism there. I talked to Mr. Hancock about hiring minorities. I referred three black employees and they were hired, but all screwed up and are no longer with the company.

I have never received an employee handbook or received any instruction on the Company's anti-harassment policy. 

I have been given an opportunity to read and correct this affidavit consisting of 3 pages.

x Aug. 15<sup>th</sup> 03

Date

x Laurene F. Oliver

Signature

### Affidavit

My name is Albert L. Copek, Jr. and my race is white. I reside at 4152 Fisher Road, Conneautville, PA 16406. I solemnly affirm the following:

I have been employed by PHB Die Casting for 5.5 years as a Die Cast Punch Press Operator. I work the second shift and all shifts occasionally. I work with Dayved Woodard. Over the years I have heard various comments by supervisors and coworkers that I felt indicated a bias against the black employees who worked for the company. For example I have heard supervisors say that "I'd like to clear them Browns" referring to Black employees. This was said by \_\_\_\_\_ . I did not tell Dayved Woodard about this comment.

Several years ago, I was told by other employees that supervisor, Tom Thompson, said that he did not like a Budwiser Commercial and called it a "nigger" commercial. I did not directly witness this comment and did not tell Dayved Woodard about it.

I have never heard other supervisors use the word "nigger" in any conversations.

Gary Gebhart was a supervisor who made me feel very uncomfortable about his attitude regarding the black employees. I heard him say that he did not watch much football because there were too many black players who were paid too much money. This comment was made a while ago, possibly one to three years ago.

David had told me that he felt the shop was kind of racist. We talked about it and I mentioned

Gary Gebhart's comment about football to him.

Over the years there have been several comments made which made me uncomfortable. For example, shortly after I began my employment I heard an operator, Jay Lewis, say that if the extractor arm swings and hits the black employees he was not going to stop it. He said if he had his choice, he would put all the <sup>monkeys</sup> "niggers" on a boat to Africa and sink it. I also heard him say that it "ain't going to matter" much to him what happens to the black employees because they are "just monkeys to him." I never reported these comments to anyone. →

When the black employees first started working at PHB, they sat at a table by themselves when they ate lunch. I did not think that was right so I started sitting with them. A coworker, Chris Shaffer asked me why I was sitting with them. I felt as though my co-workers did not approve of the fact that I was sitting with them. \*

Ron Sayers, shift supervisor, does not like Dayved. I cannot say that this is necessarily because of race. However, I believe that Dave gets more of the difficult jobs than some of the other employees. I have also have my share of the difficult jobs. Sometimes it seems that employees who are good workers get put on the difficult jobs more often because they can handle the jobs. ↘

About 9 months ago, if an employee worked a difficult job for 4 hours, he could ask to switch. That does not happen so much now because there is less work to do.

When a machine goes down, 95% of the time the operator of that machine is the one who is put

back on it when it is up and running again.

PHB is in general not a comfortable place to work. There is a lot of favoritism, politics and back stabbing. Certain people are treated better than others because they are friends of supervisors etc. For example, Jay Lewis never gets a bad job. ~~The majority, though, get the difficult and hard jobs like I do.~~

As long as I have worked for the company, I have never received diversity training or any other anti-harassment training.

I saw a KKK sign and a burning cross in the small men's rest room off the aluminum die cast area. Dave had asked me if I had seen it. When I found it and saw it, I scribbled it out with a magic marker

I have never seen any employees spit chewed up sunflower seeds in a black employee's drink or seen anyone smash the snacks of black employees at their work stations. I have not heard other employees talking about this.

There was a situation a fairly recently where guys would not relieve Jamal Shields, a black employee, for his breaks. They were just playing a game with him and I believe the matter was resolved. I believe this was because of his race.

We all have to write letters of explanation when a part breaks or production stops. However,

those letters are not usually required for minor parts such as drill bits.

I have been given an opportunity to read and correct the 4 pages of this statement.

8-9-03

Date

Allentown City Clerk

Signature

RECEIVED

03 AUG 12 AM 10:00

EEOC PITTSBURGH, PA  
AREA OFFICE

## AFFIDAVIT

My name is Roy A. Hinton, Sr. and my race is Black. My address is 629 Pin Oak Dr., Erie, PA 16504.

I have been employed by PHB as a Die Cast Production Operator for 15 years. I have always worked the first shift. Mark Nine is my supervisor.

*I worked Third shift for 10 yrs  
First 4 yrs*

I have felt that I have been treated less fairly than white employees on several occasions. Several years ago, I put in a bid for a set up job. Supervisors, Tom Berger and Tom Thompson went to the front office and said they didn't appreciate that I put in a bid for that job. I think they just did not want a black man in that position. They said they did not want me in the position because they could not get along with me. We met with Gary Porche to discuss this. He said to them that it seemed as though they did not want to give me the job because I was black. I ended up getting the job. I held it for about 3 years. During that time I had some problems and got bad evaluations. I ended up going back to being a die cast production operator.

I was dismissed from my job over allegations of sexual harassment. I filed a charge with the Erie Commission on Human Rights and had a fact finding conference. I thought the fact finding conference showed that the company was in the wrong and was surprised when I found out that the Erie Commission did not feel there was discrimination. Because of that experience I do not have any faith in this EEOC investigation. I ended up getting my job back through Union arbitration.

A few weeks ago, Charley Park told me that I was not doing my job right. He did not use any offensive racial epithets. We had a meeting over this but it did not accomplish anything. On another occasion John Yakabasik, started hollering and screaming at me. Butch Smith, Die Cast Manager, came out to see what all the hollering was about. Butch told me we would have a meeting to discuss that situation but it never happened.

I did not see a KKK sign or burning cross drawn on the rest room walls near the aluminum die cast section. I have not worked in Aluminum for a long while. I have seen the word "nigger" written on the walls of the large men's rest room in the past. I have not seen much lately. If the Janitor sees something he will spray paint over it right away. He does this on an almost daily basis.

I feel that assignments are given out unfairly. In my case it seems that I do not get a lot of down time. For example, if my machine goes down, I am put on another one right away. Other guys are allowed to wait with nothing to do while their machine is fixed.

I worked a lot of years on the third shift with Fred Jackson. It seems that whenever supervisors would see me talking with him they would come by and tell us to get back to work. It almost got to the point where we could not talk to each other at all.

I became a Die Cast Production Operator in 1989 or 90. Shortly after that happened, I recall an incident where Tom Berger, foreman on the Aluminum side paged me to come to from the zinc side to sweep up some oil. I came all the way over from the zinc side. He told me to clean up a

big pile of absorb all. The floor sweeper was standing right there and he made me come over and sweep it up. Instead of doing this task, I punched out and went home.

Ron Sayer once wrote me up for smoking a cigarette. I was walking with other white guys who were also smoking but I was the only one written up. This was resolved through a union grievance. I was wrote up for smoking - my job was not at risk. I was the first person to be a wrote up for smoking.

I don't know much about the attendance control problem. I usually have perfect attendance. I also work a lot of overtime.

It is company practice to require an employee who mislocates a drill or smashes a part to write a letter explaining how the problem occurred. Often the friends or favorites of the supervisors don't have to write a letter when something like that happens. I would say that drill taps are a relatively minor part and letters of explanation should not be required for something like that

I do not recall receiving an employee handbook.

I have a union book

I have had an opportunity to review and correct this 3 page affidavit.

X 9-29-03

Date

X Roy H. Miller

Signature

## EECO - Pittsburgh

Employee Reaglerman second shift worker was accused of sexual harassment. Nothing was ever done on this issue.

Jim Brandon was founded by the City of Erie, placed on the local news. When cameras were taken into his residence. Company lights boxes and scales belonging to PHB. With their name plastered all over the equipment was shown on the local news. Absolutely nothing happened. No repercussions were taken against this employee. No discipline. Another employee that involved with the same issue. Was later promoted, quit, and rehired recently as a DCPD.

Bob A. Kotsos Jr.

Memo to the file

Testimony of Harland R. Tolhurst, III, metal man

Date: 7/30/03

Re: EEOC Charge No.: 172-2003-00954 and 172-2003-00962  
Woodard and Goodwine (respectively) v. PHB

He has been a metal man since October 1995. His job is to deliver molten metal to the machines. Witness works second shift and became friendly with Goodwine, Woodard and Shields, black employees. He sat with them at lunch.

One day, Cari Goodwine was working as a floor guy/metal man. Gary Gebhart, supervisor asked Goodwine to prepare the pot for a particular machine. Goodwine had not done this before. Goodwine told this to Gebhart. Witness came up to Gebhart and informed him that Goodwine was working as a floor guy that day and the floor guy no longer has to prepare the pot. There was someone else that was supposed to do that. When Goodwine drove away, Gebhart told witness that "We have to make them work harder."

Witness was offended by this he felt as if Gebhart thought he was talking a kindred Klansman or something. Witness felt that Gebhart's comment was in reference to Goodwine's race. Witness believed that Gebhart was saying that whites have to make blacks work harder.

Witness told Jamal Shields about it because he was the black employee closest to that hopper. Later at lunch it was discussed with Goodwine, Shields, Woodard and Al Cropek (white) at lunch. Goodwine was upset about it and wanted to know what Gebhart meant.

The Union Steward was brought in and a meeting was held with Witness, Goodwine, Pete Linsley (Union), Ron Sayers, Gary Gebhart. Witness said what he thought Gebhart meant by that comment. Gebhart denied that that was the case. He said he was talking about all DCPOs. Gary apologized if he said anything that was misconstrued by Goodwine or witness. Gebhart extended his hand to Goodwine but Goodwine refused to take it.

Witness has never heard Gebhart use the word "nigger" in conversations. However, when this matter was occurring, some other employees who witness declined to identify indicated to him that Witness had indeed interpreted Gebhart's comment correctly.

Witness did not think this would turn into such a big deal. He simply said how he felt about the comment.

Witness has never seen a KKK sign or burning cross drawn on any restroom wall in the facility. He was never told that it existed by any of the black employees.

I currently hold the position of Die Cast Punch Operator (DCPO). I have been subjected to harassment and disparate treatment by my supervisor <sup>Gary Joseph</sup> and the Human Resources Director Benjamin Hancock both white males. When I refused an assignment that included in my position description Mr. Joseph <sup>questioned</sup> to a co-worker commented we have to make it hard on them, <sup>Feb 20, 2003</sup> (meaning black employees). ~~that I seemed more difficult and less desirable for the position~~ ~~selected white employees~~. Mr. Hancock treated me an discriminatory manner with respect to my medical leave, use of sick leave, and vacation leave by requiring actions and requirements that were different than those applied to similar

①

Interview with Gari Goodwine 5/7/05  
2/20/2003 statement

Made it hard on them. Told CP to do something he was not  
told to do but supervisor Gary  
Sephhardt

Die Cast Operations - told to get a  
metal part, pour the metal  
but not in his job descriptions.

Foreman Tom Thompson - take that engine  
shut off - talking to a white  
employee - Budweiser pin - Flag Black  
white up - Black athletes -  
Human Resources director - did nothing  
Union President - sympathetic  
Greg Bible. He wrote letter to management

About 5 or 6 blacks - 3 shifts  
about 400 employees

Questioning of CP about doctor excuses  
harassment about medical leaves  
Bad boy list - but whites treated better  
had more points than CP - but CP had  
doctor excuse - Creation Report not honored  
like whites.

situations affecting white employees  
I complained about these matters to  
Benjamin Hancock but ~~no~~ <sup>little or no</sup> corrective action  
was taken to resolve these issues

2. ~~Officer W.C. Price~~

3. "...Similarly situated white employees were  
~~treated as a matter of fact~~ were not subject to  
the same ~~as~~ treatment accorded to me.

Sue, contact CP to verify his  
complaints. Making changes as necessary,  
complete paragraphs 2 and 3 based on  
information you receive from CP

# Exhibit 4

## Incorporated as part of Exhibits 3, 32 and 34

# Exhibit 5

**Monthly Report Form 3  
Cases Disapproved Under  
Regional Attorney's Delegated Authority**

Case name : Cari M. Goodwine v. PHB Die Casting

Charge number : 172-2003-00-962

Category : A-2

For cases disapproved for litigation under the RA's delegated authority, provide the following:

(a) date the case was disapproved: 2/25/2004

(b) reason(s) for the decision (one or two paragraphs addressing such things as the merits, relation to NEP/LEP priorities, availability of private counsel, etc.): CP contends that he was subjected to a racially hostile work environment; that he was subjected to disparate treatment on the basis of race in the terms and conditions of his employment (work assignments and enforcement of time and attendance rules); and that Respondent retaliated against him for complaining of racial harassment. The Commission's determination found reasonable cause to believe that CP had been subjected to a racially hostile work environment, but found no reasonable cause to believe that he had been subjected to disparate treatment or retaliation.

This is not a good litigation vehicle for several reasons: (1) Charging Party was not actually working during most of the relevant time frame; the finding of a hostile work environment depends on events which allegedly occurred clearly outside the relevant time period; the event which allegedly occurred within the relevant time period is barely sufficient to support a finding of a hostile work environment. (2) Charging Party has a terrible attendance record. Subsequent to the investigation, Respondent has (1) conducted discrimination training for all supervisors and managers and employees; (2) discharged the supervisor who made the derogatory comments; and (3) investigated and handled subsequent allegations of racial hostility. Finally, because the Commission issued a mixed cause finding, it could not completely represent Charging Party's full interests.

(c) for cases in which the decision not to litigate was made more than 60 days after receipt of the case in the legal unit, state the reason(s) for the delay: N/A

(d) if this is the first time in which this case has been listed under this new format, provide the information requested under I (attached a Form 1)

I concur [x]

I do not concur [ ]

  
Jacqueline H. McNair  
Regional Attorney

2/25/04  
Date

# Exhibit 6



**U.S. EQUAL OPPORTUNITY COMMISSION  
Pittsburgh Area Office**

Liberty Center  
1001 Liberty Avenue, Suite 300  
Pittsburgh, PA 15222-4187  
(412) 644-3444  
TTY (412) 644-2720  
FAX (412) 644-2664

Mr. Cari M. Goodwine  
2905 Pennsylvania Avenue  
Erie, PA 16504

Charging Party,

CHARGE NO.:172A300962

PHB Die Casting  
7900 West Ridge Road  
Fairview, PA 16415-1899

Respondent

**DETERMINATION**

Under the authority vested in me by the Commission, I issue the following determination as to the merits of the above cited charge.

All requirements for coverage have been met. Charging Party alleged that Respondent discriminated against him, because of his race black and in retaliation for complaining of harassment in violation of Title VII of the Civil Rights Act of 1964, as amended. He contends that he was harassed by the Respondent and subjected to different terms and conditions of employment than his white coworkers. He believes that he is assigned to the more difficult machines more often than his white coworkers. Charging Party was placed on the "bad boy" list for attendance reasons in January 2003. In February 2003, supervisor Gary Gebhart, attempted to have him do work that he was not trained to do. When a white coworker came to the Charging Party's defense, Gebhart rebuked the white employee stating that "we have to make it harder on them." A supervisor, Gordy Phillips, did not follow safety procedures and attempted a joke that could have injured the Charging Party. That same supervisor is slow to answer Charging Party's pages for relief. Finally, the Charging Party alleges that Supervisor, Gary Gebhart, continues to scrutinize the Charging Party's work even though the Charging Party no longer works in his area.

Respondent denies that the Charging Party has been harassed at any time by any supervisor or manager or by any other employee. Respondent denies that the Charging Party has been subjected to different terms and conditions of employment. Respondent asserts that the Charging Party was placed on an attendance improvement plan like 14 other white employees and 2 other black employees because of a poor attendance record. Respondent denies that the Charging Party was assigned to more difficult assignments than white employees. Respondent denies that Gary Gebhart made a discriminatory comment about the Charging Party

and/or black people in general. Respondent states the incident during which the comment was made was misunderstood by the Charging Party. Supervisor Gordy Phillips did not try to play a joke on the Charging Party, rather Mr. Phillips got sprayed when a machine was started up. Supervisor Phillips does not ignore or delay in answering pages for relief from the Charging Party. Finally, Mr. Gebhart is a supervisor who shares supervisory duty with Mr. Phillips and as such is responsible for supervising the Charging Party's work and being in that area.

EEOC interviews with a Respondent employee who was present when Gary Gebhart said "we have to make it harder on them" attested to the fact that he construed this to be a racial remark. Charging Party complained about this remark to Human Resources and a meeting was held with witnesses, union representation, Mr. Gebhart, and the Director of Human Resources. After this meeting Respondent scheduled Gebhart for diversity training at a local University because it was not satisfied that Mr. Gebhart's general attitude was appropriate or consistent with company expectations of its supervisors. However, the class was cancelled and no alternative training was ever provided to him.

Witnesses corroborated that Mr. Gebhart has made several offensive comments about black employees in recent years, calling them "fuckers" and stating he did not want to associate with "them." No effective action by the Respondent was taken to eliminate this harassment. Other employees have complained to Respondent officials of offensive racial slurs and comments made by supervisors and coworkers. The comments were offensive to both black and white employees. EEOC's investigation found witness corroboration of offensive racial graffiti in the form of a KKK and burning cross written on the rest room walls.

Based on this analysis, I have determined that the evidence obtained during the investigation establishes a violation of Title VII with respect to hostile environment.

Investigation did not establish a violation of Title VII with respect to the other issues cited by the Charging Party. Charging Party was placed on the "bad boy" list with 14 other white employees. Many of them had similar attendance records. A review of the Charging Party's attendance record shows that he had missed many days of work in the year prior to January 2003. His record was as bad or worse than many similarly situated employees who were also placed on the list.

Since Charging Party did not complain about Mr. Gebhart until approximately February 2003 and was placed on the bad boy list in January 2003 it is chronologically impossible to show that placement on the list was retaliatory. Evidence did not establish that the Charging Party was assigned to work differently than white employees. Many factors are considered when making assignments. In addition, there is no universal opinion as to what is a difficult assignment. In many cases the difficulty of a particular job is related to individual preferences.

Evidence did not establish that a joke or trick was played on the Charging Party because of his race. Finally, investigation did not support that delays in responding to the Charging Party's pages by Supervisors occurred because of the Charging Party's race or in retaliation for complaining of matters protected by statutes enforced by the EEOC.

Upon finding that there is reason to believe that violations have occurred, the Commission attempts to eliminate the alleged unlawful practices by informal methods of conciliation. Therefore, the Commission now invites the parties to join with it in reaching a just resolution of this matter.

The confidentiality provisions of Title VII and Commission Regulations apply to information obtained during conciliation.

If the Respondent declines to discuss settlement or when, for any other reason, a settlement acceptable to the office Director is not obtained, the Director will inform the parties and advise them of the court enforcement alternatives available to aggrieved persons and the Commission.

A Commission representative will contact each party in the near future to begin conciliation.

The Commission is seeking an amount inclusive of the applicable cap to your organization for compensatory and punitive damages; appropriate lost wages and actual monetary costs incurred by the Charging Party. In this regard, a Commission representative will prepare and monitor an actual dollar amount to include accruing lost wages, if any, and attendant benefits, with interest to date; any appropriate attorney fees and costs which have accrued to date. Again, the Commission is postured to consider any reasonable offer during this period.

Respondent may contact investigator, Susan M. Kelly at 412-644-2921, if there are any questions or concerns about conciliation.

On Behalf of the Commission,

12/18/03  
Date

Eugene M. Reid / for  
Marie M. Tomasso  
Philadelphia District Director

Marie M. Tomasso

# Exhibit 7

**Introduction to Spreadsheets and Graphing** - March 26, 1-3 pm

Skills to be covered: terminology (rows, columns, etc.); formatting and entering data; adding simple formulas; creating graphs.

**Introduction to Database** - April 9, 1-3 pm

Skills to be covered: setting tables; defining fields; sorting.

**Introduction to PowerPoint** - April 30, 1-3 pm

Skills to be covered: setting up tables; defining fields; sorting.

**Intermediate Technology Proficiency Level****Mastering Word Processing** - March 20, 1-3 pm

Skills to be covered: bullets and numbering; headers and footers; shortcuts; using WordArt or draw/paint tools; mail merge.

**Intermediate Spreadsheet** - March 27, 1-3 pm

Skills to be covered: using more advanced formulas; creating more complex layouts and graphs.

**Intermediate Database** - April 10, 1-3 pm

Skills to be covered: creating more complex tables; formulating queries.

**The Power of PowerPoint** - May 1, 1-3 pm

Skills to be covered: incorporating sound, video, graphics, animation, and hyperlinks into multimedia presentations.

**Introduction to Webpage Design** - April 24, 1-3 pm

Skills to be covered: introduction to webpage design; copyright issues.

**Advanced Technology Proficiency Level****Mastering a Spreadsheet** - March 28, 1-3 pm

Skills to be covered: creating advanced formulas, layouts and graphs.

**Mastering a Database Program** - April 11, 1-3 pm

Skills to be covered: creating advanced reports, queries, and tables; modifying forms.

**Using a Webpage Authoring Program** - April 25, 1-3 pm

Skills to be covered: designing a Homepage; creating links; inserting tables and graphics.

**Converting Documents with Adobe Acrobat** - April 23, 1-3 pm

Skills to be covered: what is pdf?; converting, navigating and editing a document.

**Microsoft PowerPoint**

Want to really get your message across, organize your thoughts or just razzle and dazzle? Try a PowerPoint presentation. Learn the elements every good presentation should contain, like the tools to create slides and/or handouts and transparencies, inserting graphics and text, animating the slide, inserting bullets and numbering, and moving and copying text. You will also learn how to deliver an electronic slide show by using manual or automatic timing, speaker notes and other automated tools. A must have class for those who need help presenting. This course in presentation software covers the basics you need to create, edit, format, store, and print slides.

Tuesday, May 6, and Thursday, May 8, 1:00-5:00 pm.

Edinboro University in Erie - The Porreco Center

Instructor: Jean McGowan, Jamestown Community College

\$189

Learn desktop publishing tricks that get your posters, brochures, and newsletters noticed. Learn to use the package features as well as fundamental graphic design skills and techniques you can use with any desktop publishing system.

Tuesday, April 22, and Thursday, April 24, 1:00-5:00 pm.

Edinboro University in Erie - The Porreco Center

Instructor: Jean McGowan, Jamestown Community College

\$189

**Customized Computer Training**

Let Edinboro University provide a customized computer training session for your company in Microsoft Word, Excel, Access or PowerPoint. Let us teach your employees how to navigate the Internet, design databases or get them started in basic computer orientation. Please call for more information.

**General Classes:****Cultural Diversity**

Students will understand, appreciate and accept cultural differences. This class will include lectures, interactive exercises and library research on culturally relevant projects.

Tuesdays, April 8 & 15, 5:00-7:00 pm (2 classes)

Edinboro University in Erie - The Porreco Center

Instructor: Dr. Elizabeth Pierce-Stewart, Retired Edinboro University Professor, Social Work

\$39

**Open House for Carpentry 101**

Mark your calendar and plan to attend an open house for Edinboro University's Carpentry 101 class. This 2-hour program will cover an introduction to its 4-week Carpentry 101 program so that you can see if this course interests you. The instructor will schedule Carpentry 101 to fit the needs of the students with dates suitable to the majority of the open house participants. Come see if this is the class for you and pick up some valuable pointers too!

Open House: Thursday, April 10, 6-8 pm

Edinboro University Campus

Instructor: Duane Ford, self-employed for 30+ years in the construction field  
Free

**Current Affairs and Social Problems**

This class takes a look at current events in the light of often long-standing social problems. Brief historical references will be included. The class sessions will be a combination of lecture and discussion and sources of additional information will regularly be suggested.

Instructor: Dr. Eugene Antley, Retired Edinboro University Professor, Social Work

Wednesdays, April 3-May 7, 6-7:00 pm (6 classes)

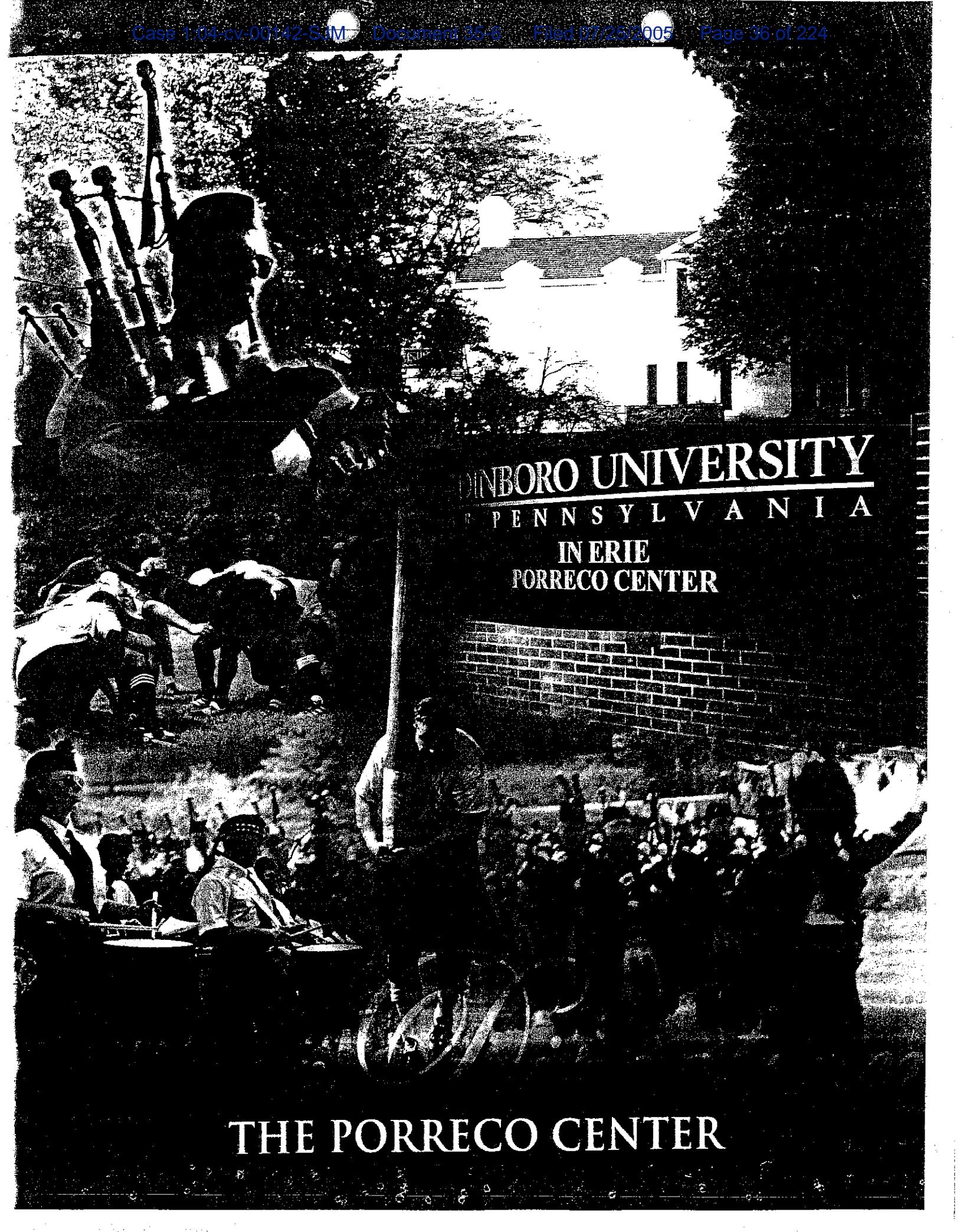
Edinboro University Campus

\$45

**EXHIBIT**

PERGAMON, N.Y.

2



**EDINBORO UNIVERSITY**  
PENNSYLVANIA  
**IN ERIE**  
**PORRECO CENTER**

**THE PORRECO CENTER**

# Exhibit 8

P H B D I E C A S T I N G  
DAILY ABSENTEE REPORT

SPS31

CLOCK#:	01731	NAME:	GOODWINE	CARI	M
CODE:			#####		
ABSENTEE DATE	CODE		TEXT OF REASON		
04-29-2003	SX				
04-30-2003	SX				
05-01-2003	SX				
05-02-2003	SX				
05-05-2003	SX				
05-06-2003	SX				
05-07-2003	SX				
05-08-2003	SX				
05-09-2003	SX				
05-12-2003	VLO	-			
05-13-2003	VLO				
05-14-2003	VLO				
05-15-2003	VLO				
05-16-2003	VLO				
05-19-2003	VLO				

P H B D I E C A S T I N G  
DAILY ABSENTEE REPORT

SPS31

CLOCK#:	NAME:	CARI	M
01731	GOODWINE		
CODE:	#####		
ABSENTEE DATE	CODE	TEXT OF REASON	
05-20-2003	VLO		
05-21-2003	VLO		
05-22-2003	VLO		
05-23-2003	VLO		
05-26-2003	VLO		
05-27-2003	VLO		
05-28-2003	VLO		
05-29-2003	VLO		
05-30-2003	VLO		
06-02-2003	VLO		
06-03-2003	VLO		
06-04-2003	VLO		
06-05-2003	VLO		
06-06-2003	VLO		
06-09-2003	SX	PER D.C.	

P H B D I E C A S T I N G  
DAILY ABSENTEE REPORT

SPS31

CLOCK#:	NAME:	CARI	M
01731	GOODWINE		
CODE:	# #####		
ABSENTEE DATE	CODE	TEXT OF REASON	
06-10-2003	SX		
06-11-2003	SW		
06-12-2003	SX		
06-13-2003	SX		
06-16-2003	SX	PER PCP	
06-17-2003	SX		
06-18-2003	SX		
06-19-2003	SX		
06-20-2003	SX		
06-23-2003	SX		
06-25-2003	SX		
06-26-2003	SX		
06-27-2003	SX		
06-30-2003	SX		
07-01-2003	SX		

P H B D I E C A S T I N G  
DAILY ABSENTEE REPORT

SPS31

CLOCK#:	NAME:	CART	M
01731	GOODWINE		
CODE:	# #####		
ABSENTEE DATE	CODE	TEXT OF REASON	
07-02-2003	SX		
07-03-2003	SX		
07-04-2003	SX		
07-07-2003	SX		
07-08-2003	SX		
07-09-2003	SX		
07-10-2003	SX		
07-11-2003	TSX- <i>Gha</i>		
07-14-2003	TSX- <i>Gnd</i>		
07-15-2003	SX	PER CHN JFK CTR - <i>4.571</i>	
07-16-2003	SX		
07-17-2003	SX		
07-18-2003	SX		
07-21-2003	SX		
07-22-2003	SX		

01731

CAR1

M GOODWINE

DATE: 07/25/2005

FILED:

PHB DIE CASTING  
INDIVIDUAL ABSENTEE REPORT  
01-28-2001 THRU 01-28-2002  
WITH ROLLBACK

PS-12 STIPSER  
RUN DATE: 01/28/02  
RUN TIME: 12:10

ABSENT

CODE

ABSENTEE DESCRIPTION

POINTS

03-16-2001	LT2	LOST TIME 2 HRS TO 4 HRS	0.00
03-23-2001	LT3	LOST TIME OVER 4 HOURS	0.66
04-16-2001	LT3	LOST TIME OVER 4 HOURS	1.00
04-19-2001	NOT	STEP 1 = SUPERVISOR REMINDER	3.00
05-11-2001	NOT	STEP 1 = SUPERVISOR REMINDER	3.00
07-19-2001	LT2	LOST TIME 2 HRS TO 4 HRS	0.66
07-20-2001	LT3	LOST TIME OVER 4 HOURS	1.00
08-03-2001	NOT	STEP 2 = SUPERVISOR & STEWARD REMINDER	4.67
11-04-2001	LTL	LOST TIME 1 MINUTE TO 2 HRS	0.33
11-09-2001	LT3	LOST TIME OVER 4 HOURS	1.00

TOTAL POINTS: 4.67

0.33

SUPERVISOR ORAL REMINDER

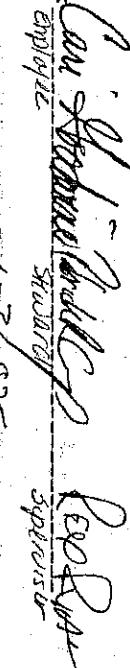
1.00

SUPERVISOR ORAL REMINDER

1.00

SUPERVISOR &amp; STEWARD ORAL REMINDER

DATE OF NOTICE:

NOTICE RECEIVED:  
  
 Employee Signature  
 Supervisor

DATE OF NOTICE: 07-25-05

Please sign, date, &amp; return.

PHO DIE CASTING  
INDIVIDUAL ABSENTEE REPORT  
08-02-2001 THRU 08-01-2001  
WITH ROLLBACK

PS-12 BIPPER  
RUN DATE: 08/02/01  
RUN TIME: 12:09

NAME: 51731  
CARL H GOODWINE

DATE	ABSENTEE CODE	ABSENTEE DESCRIPTION	POINTS
03-16-2001	LT2	LOST TIME 2 HRS TO 4 HRS	0.66
03-23-2001	LT3	LOST TIME OVER 4 HOURS	1.00
04-16-2001	LT3	LOST TIME OVER 4 HOURS	1.00
04-19-2001	NOT	STEP 1 - SUPERVISOR REMINDER	3.00
05-09-2001	LT1	LOST TIME 1 MINUTE TO 2 HRS	0.433
05-11-2001	NOT	STEP 1 - SUPERVISOR REMINDER	3.00
07-19-2001	LT2	LOST TIME 2 HRS TO 4 HRS	0.66
07-20-2001	LT3	LOST TIME OVER 4 HOURS	1.00

TOTAL POINTS: 4.67

SUPERVISOR & STEWARD ORAL REMINDER

DATE OF NOTICE:

*Carl Goodwine*  
Signature  
Supervisor  
8-3-01

Please sign, initial & return

FILED:

01731

CART

DATE

M. GOODWINE

ABSENT

CODE

ABSENTEE DESCRIPTION

POINTS

07-20-2000	L12	LOST TIME 2 HRS TO 4 HRS	0.00
03-16-2001	L12	LOST TIME 2 HRS 10 4 HRS	0.66
04-23-2001	L13	LOST TIME OVER 4 HOURS	1.00
04-16-2001	L13	LOST TIME OVER 4 HOURS	1.00
04-19-2001	NOT	STEP 1 - SUPERVISOR REMINDER	3.00
05-09-2001	L11	LOST TIME 1 MINUTE TO 2 HRS	0.33

TOTAL POINTS: 3.00

SUPERVISOR ORAL REMINDER

NOTICE RECEIVED: *John Goodwine Robert Banks*  
 Employee Supervisor

DATE OF NOTICE:

5-11-01

Please sign, date &amp; return.

 PUB DIE CASTING  
 INDIVIDUAL ABSENTEE REPORT  
 05-10-2000 THRU 05-09-2001  
 WITH ROLLBACK

 PS-12 BTPPSER  
 RUN DATE: 05/10/01  
 RUN TIME: 12:11

BOOK: 01731  
NAME: CARI

DATE

ABSENTEE

CODE

ABSENTEE DESCRIPTION

POINTS

SUPERVISOR ORAL REMINDER

07-20-2000  
03-16-2001  
03-25-2001  
04-09-2001  
04-16-2001

L12 LOST TIME 2 HRS TO 4 HRS  
L12 LOST TIME 2 HRS TO 4 HRS  
L13 LOST TIME OVER 4 HOURS  
L11 LOST TIME 1 MINUTE TO 2 HRS  
L13 LOST TIME OVER 4 HOURS

TOTAL POINTS: 3.00

PS-12 BIPPER RUN DATE: 04/17/01  
INDIVIDUAL ABSENTEE REPORT  
04-17-2000 THRU 04-16-2001  
WITH ROLLBACK  
RUN TIME: 12:11

NOTICE RECEIVED: *(Signature)*  
Cynthia Renaldo Saylor

Please sign, date &amp; return.

DATE OF NOTICE: 4-19-01

Deliver LT pr B. Hinck  
for 4/9/01.  
msg 4/24/01

# Exhibit 9

Tell

CARL GOODWINE

- 9/22/01 Back injury -

CARL GOODWINE - METALMAKERS

SITUATION WITH GEBHARDT

MFG W. TOLHURST, GOODWINE, GEBHARDT,  
SAVES

Pete Lindsey

250 T3

HELPER POT

"Come on we have to make it hard on them"  
Gary Gebhardt (Bob Tolhurst)

WE NEED TO GET THEM TO WORK WITH US.

(Gary Gebhardt)

(FILING IN AS A METALWORKER (Floor Duties))

25073

Scott Gertz NEEDED ship boxes

GG "Pot NEEDED to be READY"

Pot " " " MANTAGED

G.G. Not TRAINED

GG Get with Rob TECHNIST to show you what to do

Guy doing B METAL was to do help w/ Pot



7900 WEST RIDGE ROAD  
FAIRVIEW, PENNSYLVANIA 16415  
Phone: 814/474-5511  
Fax: 814/474-2063  
Website: www.phbcorp.com

3/30

20 03

- TO: Fice - Carl Goodwin  
RE: Conversation with Butch Smith  
① Relief is now handled  
through Ron & Rex  
② TRAVELER - Can get anyone  
③ Gary Gebhardt - looks to help  
other foreman when not  
busy with his machines

PHB DIE CASTING • PHB TOOL & DIE DIVISION  
PHB MACHINING DIVISION • PHB MOLDING DIVISION  
PHB # 01-980-0218





7900 WEST RIDGE ROAD  
FAIRVIEW, PENNSYLVANIA 15415  
Phone: 814/474-5511  
Fax: 814/474-2063  
website: www.phbcorp.com

TO: FILE - Carl Goodarck 20  
RE: CONVERSATION WITH Carl Goodarck

① Call for REEST - Don't get it -  
Call the TRAVELERS

Row Sayers & Jim Lewis, G. Phelps  
VALUES on machine

Let's open until VALUES  
AND SEE how long my first  
HE REALLY IS

"Row Sayers is aware of  
this"

ANOTHER FOLEMAN - Goldie Phelps

GOLDE ACTS D. HELEN

PHB DIE CASTING • PHB TOOL & DIE DIVISION  
PHB MACHINING DIVISION • PHB MOLDING DIVISION

PHB # 01-980-0218





7900 WEST RIDGE ROAD  
FAIRVIEW, PENNSYLVANIA 16415  
Phone: 814/474-5511  
Fax: 814/474-2063  
website: www.phbcorp.com

20

TO: .....

RE: .....

*45 to 1m to get ready*

*Not speaking to him*

*Don't sit with him  
at lunch*

PHB DIE CASTING • PHB TOOL & DIE DIVISION  
PHB MACHINING DIVISION • PHB MOLDING DIVISION

PHB # 01-980-0218



# Exhibit 10

Name: Don M. Goodwin Clock #: 01931 Dept.: ADC Job: DCPO

A = Excellent  
B = Good  
C = Fair/Average  
D = Poor  
F = Failing  
NA = Not Applicable  
NR = Not Enough Info To Rate This Week

	1	2	3	4	5	6	7	8	9	10	11	12	13
QUALITY	Maintaining A Low Scrap Rate; Needing Minimal Rework On His/Her Parts	✓	C	C	B								
	Concern For Quality (Not Sacrificing Quality For Speed)	✓	C	C	B								
	Handling Castings (Not Throwing Or Handling Castings In Such A Way That Damage Might Occur)	✓	C	C	B								
HOUSEKEEPING AND SAFETY	Maintaining A Clean Workplace, Free Of Tripping And Other Safety Hazards	✓	C	C	B								
	Displaying Concern For Safety Of Self And Others (Remaining Alert To Forklift Horns, etc.)	✓	C	C	B								
	Reporting To Work In The Proper Attire (Safety Glasses; Hearing Protection; Hard Soled Shoes; Proper Length Sleeves, etc.)	X	A	A	A								
ATTEND-ANCE	Starting And Stopping Work At Proper Times At Shift Start/End And At Break	X	A	A	A								
	Overall Attendance Record	X	A	A	A								
FOREMAN'S/SUPERVISORS INITIALS:													
EMPLOYEE'S INITIALS:(indicating he/she reviewed the form; not agreement with the rating)													

COMMENTS	Week 1: OK
	Week 2: Doing Good
	Week 3: SEEMS TO PICK THINGS UP FAST
	Week 4: Doing Good
	Week 5:
	Week 6:
	Week 7:
	Week 8:
	Week 9:
	Week 10:
	Week 11:
	Week 12:
	Week 13:

# Exhibit 11

Report Date:

8/11/03Investigator: S. KellySupervisor: J. Hardiman IIICharge Number: 172-2003-00954 + caption: Woodard v PHB +  
172-2003-00962 Goodwin J. PHBLocation where investigation was conducted: Union Hall - 703 French St.  
+ 7900 West Ridge Rd - Erie PADate of on-site investigation: 7/29 + 7/30/03 Time: 10:00 a.m.

Reference to Investigative Plan: Plan date: \_\_\_\_\_ Tab: \_\_\_\_\_

Respondent Attorney: Richard Zamboldi Present: Yes or No  
on 7/30 only

## Interviews/Reviews

Respondent Officials	Other Witnesses	Documents	Tour of Facility Yes / No
Gary Gebhart	Rodney Berry		Yes
James B. Hancock	William Dichtl		
Wayne Phillips	Clarence Oliver		
Bet Ryan	Roy Hinton		
Ronald Stryers	Jamal Shields		
Loren A. Smith	Horland Tolhurst III		
Shelly Antolik			

Details to include summary and analysis of data, conclusion, follow-up required. Individual interview notes or affidavits are to be attached.

Interviews established that at least one supervisor has made derogatory statements about block employees on several occasions and has not been disciplined. Investigation revealed that Company was not aggressive in stopping the harassment. Cause likely for hostile environment.

**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

- FEPA  
 EEOC

172-2003-00962

**Pennsylvania Human Relations Commission**

and EEOC

State or local Agency, if any

Name (Indicate Mr., Ms., Mrs.)

**Mr. Cari M. Goodwine**

Home Phone No. (Incl Area Code)

(814) 454-5049

Date of Birth  
07-19-1970

Street Address

City, State and ZIP Code

**2905 Pennsylvania Ave. Erie, PA 16504**

Named is the Employer, Labor Organization, Employment Agency, Apprenticeship Committee, or State or Local Government Agency That I Believe Discriminated Against Me or Others. (If more than two, list under PARTICULARS below.)

Name

**PHB DIE CASTINGS, INC.**

No. Employees, Members

Phone No. (Include Area Cod  
(814) 474-5511

Street Address

City, State and ZIP Code

**7900 West Ridge Road Fairview, PA 16415**

Name

No. Employees, Members

Phone No. (Include Area Cod.

Street Address

City, State and ZIP Code

## DISCRIMINATION BASED ON (Check appropriate box(es).)

- RACE     COLOR     SEX     RELIGION     NATIONAL ORIGIN  
 RETALIATION     AGE     DISABILITY     OTHER (Specify below.)

## DATE(S) DISCRIMINATION TOOK PLACE

Earliest

Latest

02-01-2003

04-16-2003

 CONTINUING ACTION

THE PARTICULARS ARE (If additional paper is needed, attach extra sheet(s)):

1. I was hired by the Respondent in 2000 as a Die Cast Punch Operator. During the course of my employment I have been harassed by my employer and subjected to different terms and conditions of employment with respect to my use of sick leave and vacation time. I have also been assigned to work the more difficult machines than my white coworkers, in that, although we rotate on all of the machines. I seem to get assigned to the more difficult machines three or four times more often than my white coworkers. Most recently the following has occurred:

- a) In January 2003 I was placed on a "bad boy" list for attendance problems. As a result of this action, I have lost my privileges for calling off to take a vacation day with little or no notice. Instead every time I want to take off, I must submit a written request and have it approved by my supervisor.
- b) In approximately February 2003, Mr. Gephart, supervisor, asked me to do something that I was not trained to do safely (prepare the aluminum pot). I called over Supervisor Ron Sayers and explained that I was not trained to perform this function but if he directed me to do so, I would do it. Mr. Sayers informed Mr. Gephart that preparing the pot was not something I was supposed to do. After Mr. Sayers left the area, Mr. Gephart informed a witness to the conversation that "we", meaning the white employees, were supposed to make it hard on "them" meaning black

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

X 72903Cari Goodwine

Date

Charging Party Signature

## NOTARY – When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

## SIGNATURE OF COMPLAINANT

X Cari Goodwine  
SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(month, day, year)

## CHARGE OF DISCRIMINATION

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

 FEPA  
 EEOC

172-2003-00962

## Pennsylvania Human Relations Commission

and EEOC

State or local Agency, if any

THE PARTICULARS ARE (Continued from previous page):

employees. I reported this incident to Mr. Ben Hancock in Human Resources. To my knowledge nothing was done about Mr. Gephart.

- c) I have recurring problems from an automobile accident which happened in 2000. Respondent has refused to pay my doctor and chiropractor bills for this accident.  
*DOES NOT ASSIGN*
  - d) Another foreman, Gordy Phillips has regularly assigned me to the hardest jobs more often than the white employees. Mr. Phillips is a friend of Mr. Gephart. Shortly after I complained about Mr. Gephart, Mr. Phillips was planning to breach safety procedures and not advise me to stand back when a valve to a malfunctioning machine was about to be turned on. I accidentally discovered this when I was coming back from getting a drink of water and heard my name mentioned. I could have been burned or seriously injured if Mr. Phillips had carried through with this plan.
  - e) In addition, since my complaints about Mr. Gephart, Mr. Phillips has been slow to answer my pages for help, making me page him three or four times before responding.
  - f) Although, I was moved away from Mr. Gephart after I complained about him, he continues to come to my area and stand near my machine and watch me.
- 2.
- Employees were placed on the "bad boy" attendance list for amassing 3 points by December 2002 for attendance reasons or if management detected a pattern of absences. I asked Mr. Hancock what was going to be done about Mr. Gephart on several occasions after the incident. Mr. Hancock's reply was always that the company was going to decide what to do. To my knowledge nothing has been done to date. I have informed Foreman Ron Sayers about the problems with my assignments and about Mr. Gephart and Mr. Phillips, harassing me by walking past my machine and watching me work. Nothing has been done about it.
- 3.
- I believe that the Respondent discriminated against me because of my race, black, and in retaliation for complaining about a supervisor, Mr. Gephart, in that, I did not have 3 points for attendance related matters at the time I was placed on the "bad boy" attendance list. Furthermore, the Union has looked into the matter of this list and found approximately 30 employees with attendance records that were worse than mine. Those employees were not placed on the list. Respondent has failed to take action against supervisors in the past who make derogatory racial comments. Since my complaints about Mr. Gephart, another supervisor, Gordy Phillips, has ignored my pages for assistance and assigned me to the more difficult machines, more often than my white coworkers. I have learned from other coworkers that Mr. Gephart has threatened violence against black coworkers and those who associate with them.

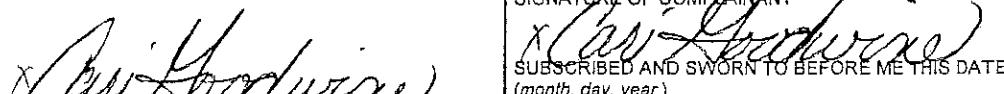
I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - When necessary for State and Local Agency Requirements

I declare under penalty of perjury that the above is true and correct.

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

  
 SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
 (month, day, year)

Date

Charging Party Signature

## CHARGE / DISCRIMINATION

Case 1:04-cv-00142-SJM Document 35-6 Filed 07/25/2005 Page 59 of 224

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

GENCY

FEPA

EEOC

CHARGE NUMBER

172A3C0962

PA Human Relations Commission and EEOC  
State or local Agency, if any

NAME (Indicate Mr., Ms., Mrs.)

HOME TELEPHONE (Include Area Code)

Mr. Carl M. Goodwine

(814) 454-5049

STREET ADDRESS

CITY, STATE AND ZIP CODE

DATE OF BIRTH

2905 Pennsylvania Ave., Erie, PA 16504

07/19/1970

NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)

NAME	NUMBER OF EMPLOYEES, MEMBERS	TELEPHONE (Include Area Code)
PHB Die Castings, Inc.	Cat C (201-500)	(814) 474-5511

STREET ADDRESS

CITY, STATE AND ZIP CODE

COUNTY

7900 West Ridge Road, Fairview, PA 16415-1899

049

NAME	TELEPHONE NUMBER (Include Area Code)

STREET ADDRESS	CITY, STATE AND ZIP CODE	COUNTY

CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))	DATE DISCRIMINATION TOOK PLACE
<input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)	EARLIEST      LATEST 02/01/2003      04/16/2003 <input checked="" type="checkbox"/> CONTINUING ACTION

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)):

- I am employed with the respondent as a Die Cast Punch Operator (DCPO). During the course of my employment, I have been subjected to racial comments and/or racial slurs in the workplace. One example of this was Gary Gephart, Aluminum Foreman (white), referring to black employees by making a comment to a white co-worker, that, "We have to make it hard on them." In addition, I am given more difficult and less desirable job assignments than similarly-situated white employees. Foreman have shown a lack of communication towards me. Foreman have given me dirty looks and provide me very little assistance.
- I have complained to Benjamin Hancock, Human Resources Director (white), but little or no corrective action has been taken.
- I believe that the respondent discriminated against me because of my race, black, in violation of Title VII of the Civil Rights Act of 1964, as amended, in that similarly-situated white employees have not been subjected to the treatment described above.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.

NOTARY - (When necessary for State and Local Requirements)

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

I declare under penalty of perjury that the foregoing is true and correct.

SIGNATURE OF COMPLAINANT

SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE  
(Month, day and year)Date   
Charging Party (Signature)

EEOC FORM 5 (Rev. 07/95)

FILE COPY

## EQUAL EMPLOYMENT OPPORTUNITY COMMISSION

Chief Executive Officer  
 PHB Die Castings, Inc.  
 7900 West Ridge Road  
 Fairview, PA 16415-1899

PERSON FILING CHARGE

Goodwine, Cari M

THIS PERSON (check one)

- CLAIMS TO BE AGGRIEVED  
 IS FILING ON BEHALF OF ANOTHER

DATE OF ALLEGED VIOLATION

Earliest

Most Recent

02/01/2003

04/16/2003

PLACE OF ALLEGED VIOLATION

Fairview, PA

CHARGE NUMBER

172A300962

## NOTICE OF CHARGE OF DISCRIMINATION

(See EEOC "Rules and Regulations" before completing this Form)

You are hereby notified that a charge of employment discrimination has been filed against your organization under:

- TITLE VII OF THE CIVIL RIGHTS ACT OF 1964  
 THE AGE DISCRIMINATION IN EMPLOYMENT ACT OF 1967  
 THE AMERICANS WITH DISABILITIES ACT  
 THE EQUAL PAY ACT (29 U.S.C. SECT. 206(d)) investigation will be conducted concurrently with our investigation of this charge.

The boxes checked below apply to your organization:

1.  No action is required on your part at this time.
2.  Please submit by \_\_\_\_\_ a statement of your position with respect to the allegation(s) contained in this charge, with copies of any supporting documentation. This material will be made a part of the file and will be considered at the time that we investigate this charge. Your prompt response to this request will make it easier to conduct and conclude our investigation of this charge.
3.  Please respond fully by \_\_\_\_\_ to the attached request for information which pertains to the allegations contained in this charge. Such information will be made a part of the file and will be considered by the Commission during the course of its investigation of the charge.

For further inquiry on this matter, please use the charge number shown above. Your position statement, your response to our request for information, or any inquiry you may have should be directed to:

Pittsburgh Area Office  
 Liberty Center, Suite 300  
 1001 Liberty Avenue  
 Pittsburgh, PA 15222-4187

Ronald E. Dean, Supervisor  
 (Commission Representative)

(412) 644-3420

(Telephone Number)

- Enclosure: Copy of Charge

## BASIS OF DISCRIMINATION

- RACE  COLOR  SEX  RELIGION  NAT. ORIGIN  AGE  DISABILITY  RETALIATION  OTHER

## CIRCUMSTANCES OF ALLEGED VIOLATION

DATE

04/16/2003

TYPED NAME/TITLE OF AUTHORIZED EEOC OFFICIAL

Eugene V. Nelson  
 Director

SIGNATURE

FILE COPY



**CHARGE OF DISCRIMINATION**

This form is affected by the Privacy Act of 1974. See enclosed Privacy Act Statement and other information before completing this form.

Charge Presented To:

Agency(ies) Charge No(s):

 FEPA  
 EEOC

172-2003-00962

**Pennsylvania Human Relations Commission**

State or local Agency, If any

and EEOC

THE PARTICULARS ARE (Continued from previous page):

employees. I reported this incident to Mr. Ben Hancock in Human Resources. To my knowledge nothing was done about Mr. Gephart.

- c) I have recurring problems from an automobile accident which happened in 2000. Respondent has refused to pay my doctor and chiropractor bills for this accident.  
*DOES NOT ASSIGN*
- d) Another foreman, Gordy Phillips has regularly assigned me to the hardest jobs more often than the white employees. Mr. Phillips is a friend of Mr. Gephart. Shortly after I complained about Mr. Gephart, Mr. Phillips was planning to breach safety procedures and not advise me to stand back when a valve to a malfunctioning machine was about to be turned on. I accidentally discovered this when I was coming back from getting a drink of water and heard my name mentioned. I could have been burned or seriously injured if Mr. Phillips had carried through with this plan.
- e) In addition, since my complaints about Mr. Gephart, Mr. Phillips has been slow to answer my pages for help, making me page him three or four times before responding.
- f) Although, I was moved away from Mr. Gephart after I complained about him, he continues to come to my area and stand near my machine and watch me.
2. Employees were placed on the "bad boy" attendance list for amassing 3 points by December 2002 for attendance reasons or if management detected a pattern of absences. I asked Mr. Hancock what was going to be done about Mr. Gephart on several occasions after the incident. Mr. Hancock's reply was always that the company was going to decide what to do. To my knowledge nothing has been done to date. I have informed Foreman Ron Sayers about the problems with my assignments and about Mr. Gephart and Mr. Phillips, harassing me by walking past my machine and watching me work. Nothing has been done about it.
3. I believe that the Respondent discriminated against me because of my race, black, and in retaliation for complaining about a supervisor, Mr. Gephart, in that, I did not have 3 points for attendance related matters at the time I was placed on the "bad boy" attendance list. Furthermore, the Union has looked into the matter of this list and found approximately 30 employees with attendance records that were worse than mine. Those employees were not placed on the list. Respondent has failed to take action against supervisors in the past who make derogatory racial comments. Since my complaints about Mr. Gephart, another supervisor, Gordy Phillips, has ignored my pages for assistance and assigned me to the more difficult machines, more often than my white coworkers. I have learned from other coworkers that Mr. Gephart has threatened violence against black coworkers and those who associate with them.

I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or phone number and I will cooperate fully with them in the processing of my charge in accordance with their procedures.

I declare under penalty of perjury that the above is true and correct.

X 7-29-03

Date

Law Hoddinott

Charging Party Signature

NOTARY - When necessary for State and Local Agency Requirements

I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.

SIGNATURE OF COMPLAINANT

Law Hoddinott  
 SUBSCRIBED AND SWEARN TO BEFORE ME THIS DATE  
 (month, day, year)

# Exhibit 12

## Incorporated as part of Exhibit 3

# Exhibit 13

KNOX  
McLAUGHLIN  
GORNALL  
& SENNETT

*A Professional Corporation*

120 West Tenth Street  
Erie, Pennsylvania 16501-1461  
814-459-2800  
Fax 814-453-4530  
[www.kmnglaw.com](http://www.kmnglaw.com)

Richard H. Zamboldi  
Direct Dial Number  
814-459-9886 Ext. 277

November 10, 2003

Susan M. Kelly, Investigator  
U.S. Equal Employment Opportunity Commission  
Pittsburgh Area Office  
1001 Liberty Avenue, Suite 300  
Pittsburgh, PA 15222-4187

**RE: Woodard v. PHB, Inc.; EEOC Case No. 17FA362672  
Goodwine v. PHB, Inc.; EEOC Case No. 172A300962**

Dear Susan:

As we discussed by telephone, PHB, Inc. has adopted and published a comprehensive policy for the prevention of harassment and has conducted training programs for all supervisors and managers as well as for all affected employees.

Enclosed is a copy of the policy for your information. Also enclosed, you will find the schedule for the training sessions which were conducted on October 29 and 30, 2003, the bullet points used by Bill Hilbert, the owner and CEO of the Company, for introduction of the policy and training program at each session and outlines which I used for my presentation to the employees and for my presentation to the managers. In the presentation to the managers, each of them was given a copy of the outline to retain.

As well as being broadly published at the facility, the policy was distributed to every employee.

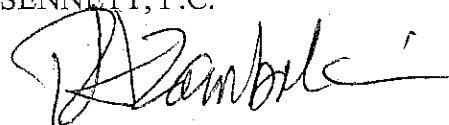
I believe that this action on the part of the Company represents a significant commitment and should serve to address any concerns which may have been raised in the course of your investigation of these charges. I am hopeful that we will be able to dispose of the charges in a prompt fashion.

Susan M. Kelly  
November 10, 2003  
Page 2

Thank you for your cooperation.

Very truly yours,

KNOX McLAUGHLIN GORNALL &  
SENNETT, P.C.



Richard H. Zamboldi

RHZ/hm  
Enclosures  
# 521629

c: Mr. Bill Hilbert

# Exhibit 14

HARASSMENT TRAINING FOR EMPLOYEES

A Presentation for:  
PHB, Inc.

By:  
Richard H. Zamboldi, Esq.  
Labor & Employment Group  
Knox McLaughlin Gornall & Sennett, P.C.

October 29 and 30, 2003

---

1. Review of the Policy.
  - Forms of Harassment
  - Sexual Harassment
    - Examples of Hostile Environment
      - Dirty jokes
      - Cute off-color remarks
      - Double meanings
      - Photos
    - Other Harassment
      - Examples of Hostile Environment
        - Name calling
        - Isolation
        - Jokes, pictures
        - Writing on bathroom walls
    - How to Report
      - Supervisor
      - Human Resources
      - Any Manager
    - Investigation and Response
  - 2. Note – This applies to EVERY employee.
  - 3. Supervisors and managers will be trained and will act if they see misconduct even if no complaint is made.
  - 4. Action will be appropriate to the misconduct.
    - Range from comment to employee or counseling to termination.

5. Progressive discipline is usual case.

- Immediate suspension or discharge may occur in a first instance if the conduct is sufficiently serious.
- Naturally, the grievance procedure applies.
- Union supports this policy.

6. If you are involved in an investigation:

- Be cooperative
- Be open and honest
- Be confidential
- Expect confidentiality as much as possible
- Be prepared to testify if necessary

# 519840

# Exhibit 15

## POLICY FOR THE PREVENTION OF HARASSMENT

PHB, Inc. is committed to providing a workplace that is free of discrimination or harassment of any type. We will treat every individual with dignity and respect and will insist upon such treatment by everyone associated with the Company. Harassment may take many forms. It includes actions, words, jokes, comments, gestures or other activities which are intended to offend or intimidate others or which have the effect of offending or intimidating others. It may be based on race, religion, gender, ethnic origin or ancestry, physical disability or other legally protected classification. Such conduct in any form will not be tolerated. Any violation of this policy will be handled promptly and firmly and will result in corrective disciplinary action or termination as appropriate.

Sexual harassment includes any unwelcome conduct of a sexual nature including sexual advances or requests for sexual favors or other inappropriate verbal or physical conduct of a sexual nature. It also includes any conduct of a sexual nature that creates an intimidating, offensive or hostile working environment. Unwelcome or inappropriate conduct of any nature is prohibited. Some examples of such inappropriate conduct are: comments about physical characteristics, sexual preferences or practices, obscene or sexually oriented stories, jokes, photographs or drawings, inappropriate gestures or body language and improper touching. Any employee who engages in such conduct will be subject to serious discipline.

Such conduct is particularly offensive when engaged in by any supervisor or person in authority. If any manager or supervisor conditions any hiring, promotion, scheduling, disciplinary or other job-related decision on submission to such advances or participation in such activities, he/she will be subject to immediate removal and to serious disciplinary action and possible discharge.

Other forms of harassment include such conduct as the use of racial, ethnic, religious, age or gender related, disability related or other slurs or epithets, jokes, stories, photographs, drawings or similar materials or any discriminatory or other inappropriate or exclusionary conduct. Any employee or any manager or supervisor who engages in such inappropriate behavior or any other behavior of a harassing nature will be subject to the same disciplinary responses as apply to sexual harassment.

If you are a victim of any inappropriate conduct or are aware of such conduct, you are encouraged to report it promptly to your Supervisor, the Director of Human Resources or any management representative. A prompt investigation into the complaint will be conducted ensuring confidentiality to the extent possible. If a violation of this policy is found, appropriate action designed to remedy the problem will be taken. No employee will be penalized for reporting such conduct or for participating in the investigation of such conduct. Please use discretion because a false report of such conduct can be extremely harmful to an innocent party.

# 511272

# Exhibit 16

REVISED  
HARASSMENT TRAINING SCHEDULE

To All Hourly and Salary Employees:

Harassment Training is being held for all employees. Please attend at your scheduled time.

All meetings will be held in the Employee Cafeteria.

If you have any questions, please call Human Resources @ x228 or x261.

Thank you.

Wednesday, October 29, 2003

✓ 2:00 PM - Cafeteria

2<sup>ND</sup> SHIFT - Aluminum & Zinc DCPO'S, Metalmen, and Inspection

✓ 2:30 PM - Cafeteria

2<sup>ND</sup> SHIFT - Aluminum & Zinc DIE CAST SET-UP, Process Control, all other DC classifications, Trim Department, Tool Room, Tool Crib and Maintenance Department.

✓ 3:00 PM - Cafeteria

1<sup>ST</sup> SHIFT - Aluminum & Zinc DCPO's, Metalmen, Inspection, Shipping and Process Control

✓ 3:30 PM - Cafeteria

2nd SHIFT - Plant Salary Supervision

Thursday, October 30, 2003

7:00 AM - Cafeteria

3<sup>RD</sup> SHIFT - All Plant Hourly Employees

7:30 AM - Cafeteria

All of 3<sup>rd</sup> Shift Plant Salary Employees plus  $\frac{1}{2}$  of 1<sup>st</sup> Shift Plant Salary Supervision

8:15 AM - Cafeteria

$\frac{1}{2}$  of 1<sup>st</sup> Shift Plant Salary Supervision plus Office Salary Supervision

9:00 AM - Cafeteria

Manufacturing Engineering, SEEEIV, Quality Assurance, Accounting, Management Information Systems, Purchasing Department

3:00 PM - Cafeteria

1<sup>ST</sup> SHIFT - Aluminum & Zinc DIE CAST SET-UP, all other DC classifications, Trim Department, Tool Room, Tool Crib and Maintenance Department.

# Exhibit 17

## **HARASSMENT TRAINING FOR MANAGERS**

**A Presentation for:**  
**PHB, Inc.**

**By:**  
**Richard H. Zamboldi, Esq.**  
**Labor & Employment Group**  
**Knox McLaughlin Gornall & Sennett, P.C.**

**October 29 and 30, 2003**

---

### **NOTES**

#### **I. REVIEW OF POLICY**

- A. Basic rule is treat every employee with respect.
- B. Prevent all forms of harassment
  - Sexual harassment – will cover in some detail.
  - Other forms of harassment:
    - Racial
    - Religious
    - Ethnic
    - Disability
    - Age-related

#### **II. THIS APPLIES TO EVERY EMPLOYEE**

- A. Company responsibility – Prevent a hostile work environment.
- B. Your role is twofold.
  - Refrain from inappropriate behavior.
  - Monitor and control behavior of subordinates.

#### **III. WHAT IS EXPECTED OF YOU**

- Know the policy.
- Understand what constitutes harassment.
- Recognize and address inappropriate behavior.
- Consult with Human Resources to determine appropriate discipline when required.
- Accept complaints and report promptly to Human Resources.
- Participate in investigations

#### IV. SEXUAL HARASSMENT

- A. Two types.
- B. Quid pro quo.
  - Superior/subordinate relationship.
  - Knowledge is imputed to employer.
  - Not a private matter.
- C. Hostile environment type.
  - May be superior/subordinate, co-worker, worker-contractor, visitor-worker.
  - Imputed knowledge – some clear answers, some gray areas.  
The only safe course – don't do it.
- D. The standard.
  - Offensive to the person complaining.
  - Offensive to a person of reasonable sensitivity.
- E. Who may file a complaint.
  - Any offended person.
  - Not limited to the intended recipient.
- F. What conduct constitutes harassment.
  - Idle talk – suggestive “cute” stuff.
  - Off-color humor – “dirty” jokes.
  - Suggestive – double meanings.
  - Comments about physical characteristics.
  - Photos, pictures, calendars, etc.
  - Suggestive looks, ogling, etc.
  - Voicemail, e-mail, notes, etc.
  - Anything that displays a lack of respect.
- G. Responsibility to control.
  - The Company acts through managers and supervisors.
  - All have some level of responsibility.
  - Be responsible for yourself.
  - Watch for and point out inappropriate behavior.
  - Do not “wait for complaints.”
  - Report patterns of inappropriate behavior even if you are not offended.

**V. THE PROCEDURE**

- A. Report to Human Resources
- B. Human Resources investigation – you will participate.
- C. Decision and action.
- D. Range of consequences.
  - Reprimand and apology.
  - Suspension.
  - Disciplinary probation.
  - Demotion.
  - Loss of merit reviews.
  - Termination.
- E. Follow-up.
- F. Retaliation – very serious consequences will follow.

**VI. OTHER FORMS OF HARASSMENT**

- A. Hostile environment standard.
- B. Act promptly.
- C. Responsibility to control.
- D. Procedures – identical to sexual harassment.

**VII. CONSEQUENCES**

- Very serious matter.
- Zero tolerance.
- Expect firm, serious discipline.
- Investigation will be prompt, thorough, confidential and action will result promptly.

# Exhibit 18

**POINTS FOR BILL HILBERT INTRO REMARKS**

1. Series of meetings over the next 2 days to introduce to all employees a new Policy for the Prevention of Harassment.
2. Not a change in who we are or what we do – We have always opposed harassment.
3. Effort is simply to state the policy in the clearest possible terms.
4. Have encountered several recent charges and lawsuits from the EEOC claiming racial discrimination and racial harassment.
5. We have defended our position and our policy but have incurred a lot of expense in doing so.
6. We want to be sure everyone is aware of the policy and understands it.
7. Every manager and every employee has a responsibility to assure that our workplace is fair and respectful to every employee and free from harassment. That includes:
  - Sexual Harassment
  - Racial Harassment
  - Ethnic Harassment
  - Religious Harassment
  - Age-Related Harassmentand any other form of harassment.
8. The simple rule is: Treat everyone with respect.
9. This is a real, living policy. It will be enforced. Persons who violate it will be subject to disciplinary action.
10. Our goal is NOT discipline. Our goal is to treat everyone with respect.

# Exhibit 19

Memo to the file

Testimony of Rodney W. Berry, Janitor

Date: 7/30/03

Re: EEOC Charge No.: 172-2003-00954 and 172-2003-00962  
Woodard and Goodwine (respectively) v. PHB

Witness has been employed by R as a janitor for 13 years. He is responsible for cleaning the rest rooms. There are outside people who clean the offices and some other areas of the facility.

Witness stated that there was a KKK sign written on the walls in the large men's rest room a number of years ago. He notifies his supervisor of things like that and then paints over it immediately. He noted that he has never seen a KKK sign or burning cross in the smaller men's rest room off of the aluminum die cast area.

Witness noted that that rest room does not get very much graffiti and witness does not monitor it as thoroughly as the main large rest room. Sometimes when graffiti is noticed by employees they cross it off themselves. A lot of employees carry magic markers and things like that.

If there is something offensive on the walls, employees will let him know so that he can take care of it. Witness was never told of any problem with the small rest room where the offensive graffiti was alleged to have been written. Witness stressed that that rest room is generally not a problem. There are some little things but he doesn't bother with it much and hardly pays attention to what is written. However, he is sure that if he saw a KKK or burning cross he would show it to someone and then cover it up right away. If in fact this stuff had been on the walls, it would have been very small and hard to see.

# Exhibit 20

**GRIEVANCE REPORT**USWA Local Union No. 3199-18Grievance NO. 03-08Location PHB DIE CASTDate 3-21-037900 West Ridge RdFAIRVIEW PA 16415

EMPLOYEE'S NAME	IDENTIFICATION NO.	DEPARTMENT	JOB TITLE
<u>Group</u>	<u>All</u>	<u>All</u>	<u>All</u>

Use space below to write in other important Grievance information

Nature of Grievance: The company's refusal to discipline supervisors who make racist remarks and who mistreat and/or harass our minority employees has created intolerable working conditions for some of our minority employees. There are employees who feel that speaking up not only places their job in jeopardy, but also believe that there could be acts of retaliation where they may suffer bodily harm.

Settlement Requested : For the company to stop ignoring these problems and issues our minority employees are experiencing; to address them in a manner that says to ALL employees that "PHB will not tolerate this type of behavior from any of our employees." To comply with PHB's own "No Harassment, No Discrimination" policy and create a workplace where ALL employees, management and hourly are treated with equality and respect.

Agreement Violation : Conditions of Employment and any article, section, past practice, policy, agreement or law that may apply to the resolution of this grievance

Signature of Aggrieved:

Signature of Union Representative:

Doug Sibley

# Exhibit 21

Toby Crosby  
1524 Fairmount Parkway  
Erie, Pa. 16510  
814-455-2720

---

Vernon Duck  
332 W. 3rd  
Erie, Pa. 16507  
814-459-5918

---

Jim Fowler  
1206 E. 21st St.  
Erie, Pa. 16503  
814-452-2738

---

Cari Goodwine  
2905 Pennsylvania Ave.  
Erie, Pa. 16504  
814-454-5049

---

Roy Hinton  
629 Pin Oak Dr.  
Erie, Pa. 16504  
814-825-8078

---

Tim Norton  
1133 East Lake Rd.  
Erie, Pa. 16507  
N\A

---

Clarence (Ron) Oliver - 814- 455-2506  
453 E. 28th St.  
Erie, Pa. 16504  
N\A

---

Jamal Shields  
3617 Davison Ave.  
Erie, Pa. 16504  
814-454-4666

---

Dayved Woodard  
PO Box 771  
Erie, Pa. 16512  
814-434-9660

# Exhibit 22

B. Donnell, C. Goolsby, G. B. Bee, B. Harwick

5/13/04

THREATS ARE THE PROBLEM.

IF Jim Henry has a problem with Bill Donnell,  
Don't use Carl Goolsby as leverage.

Bill Donnell wants to apologize to Cali.

" " NOT PREJUDGED. His best friend  
was black in high school and was killed  
in Vietnam.

Bill Donnell talked about throwing dead bats  
or Oakwood in the air. No one spoke.  
GENERAL DISCUSSION ABOUT MANY EMPLOYEES



# Exhibit 23

To : Ben Hancock  
From : Greg Bible  
Re : Grievance 03-08  
Date : 5 - 29 - 03

Your Step II answer implies that this particular grievance was written for one incident, an incident that you claim has been resolved between the supervisor and the hourly employee.

Couple of problems with your answer: One - to my knowledge the singular incident you are referring to has never been satisfactorily resolved per the hourly employee, and Two - this grievance was not written for one particular incident, it was written for a host of incidents. It was written concerning the conditions of employment and what this meant was the fact that we have employees who feel that our workplace is a hostile working environment for minorities. They feel this way because supervision seems to be allowed to say and do whatever they want to minorities with no fear of reprisal from the company.

Some examples: Beth Campbell feels she has been treated differently ever since she reported being verbally mistreated by Ed Shollenberger. She feels she has been given more designated rate jobs because of the incident between her and Ed Shollenberger. Just tonight she got on me because nothing was ever done by PHB concerning the way she and Tracy Fish were treated by Ed Shollenberger. She pointed out how Ed was never given one second of time off and in her opinion was never reprimanded at all for mistreating them. Because of the company's lack of response to her and Tracy's complaints, our workplace in her eyes is a hostile work place for women.

Tracy Fish knows she was treated way differently than any other employee. She was harassed and verbally abused by Ed Shollenberger to the point that she left here in tears and to this day, nothing has been done to Ed Shollenberger for treating her this way. The company continues to hold this lost time against her attendance record but has never punished Ed in any form and this says to her that PHB condones this type of behavior in their supervisors. Because Ed was never punished, the lost time is still being held against her attendance record, and the fact she has been given more than her fair share of designated rate after this incident she feels that this clearly shows that our work place is a hostile work environment for women.

The last I heard from Cari Goodwine, he was not very happy that absolutely nothing had been done about the racist comment made towards him by Gary Gebhart. Your answer implies that Gary and Cari reached some amicable agreement and this issue was resolved. Not to my knowledge. As far as Cari is concerned, PHB's continued lack of response to supervisors making racist remarks makes our work place a hostile working environment for him personally and for all minorities.

Jamal Shields feels that 95% of the work force here is prejudiced against blacks. Not just salary but hourly too. Part of the reason he feels this way is because of how the Tom Thompson racial remark incident was handled...actually I should say was not handled as nothing was ever done leaving Jamal and the other black employees here at PHB to believe that PHB condones this type of behavior from their supervisors and this creates a hostile working environment for blacks. He also blames the union for not being able to get the company to do anything about this and considers us partly responsible for allowing a hostile work environment for minorities.

These are the reasons this grievance was written and your answer says nothing to make me believe that you have addressed anything to improve the conditions of employment leaving our work place a hostile work environment for minorities. To this end we do not accept your Step II answer and ask that this grievance be moved to the next step.

Grievance 2003-08

Subject: Harassment of Minority Employees

Dated - March 21, 2003

Step II Answer

The issue which led to this particular grievance has been resolved between the salaried supervisor and the hourly employee who took offense to his remarks. The Company has not refused to discipline anyone; however we do not publicly debate the proper discipline that should be given to salaried employees.

We try to deal with each situation on the basis of its own merits and make appropriate decisions that are dependent on the circumstances surrounding the situation.

BK  
5/20/03

2

# Exhibit 24

**EEO-1 Establishment Report**  
from 2000 EEO-1 Reports  
U.S. Equal Employment Opportunity Commission

**PHB DIE CASTING NORTHERN DIVISION**

7900 WEST RIDGE ROAD  
FAIRVIEW, PA 16415

County: ERIE

PMSA: Erie, PA MSA (2360)

Unit Number: K00589  
Parent Number: 503889  
SIC Code: 3363: Aluminum die-castings  
DUN#: 005028121

	Ofc/Mgr	Prof's.	Tech.	Sales	Clerical	Craft	Oper.	Labor.	Service	Total
<b>Total</b>	62 12.9%	21 4.4%	63 13.1%	0 0.0%	10 2.1%	51 10.6%	229 47.6%	43 8.9%	2 0.4%	481 100.0%
<b>Women</b>	1 1.6%	15 71.4%	8 12.7%	0 0.0%	6 60.0%	0 0.0%	18 7.9%	1 2.3%	1 50.0%	50 10.4%
<b>Black</b>	0 0.0%	1 4.8%	0 0.0%	0 --	0 0.0%	0 0.0%	7 3.1%	1 2.3%	0 0.0%	9 1.9%
<b>Hispanic</b>	0 0.0%	0 0.0%	0 0.0%	0 --	0 0.0%	0 0.0%	5 2.2%	1 2.3%	0 0.0%	6 1.2%
<b>Asian</b>	0 0.0%	0 0.0%	0 0.0%	0 --	0 0.0%	0 0.0%	2 0.9%	0 0.0%	0 0.0%	2 0.4%
<b>Amer. Ind.</b>	0 0.0%	0 0.0%	0 0.0%	0 --	0 10.0%	0 0.0%	0 0.0%	1 2.3%	0 0.0%	1 0.2%

# Exhibit 25



A PHB Company  
7900 WEST RIDGE ROAD  
FAIRVIEW, PA 16415-1899  
TEL: 814-474-5511 • FAX: 814-474-2063

## AFFIRMATIVE ACTION PLAN

This is to advise all employees that the Affirmative Action Plan is available for review during normal business hours. Arrangements for its review may be made through the Human Resources Office.

PHB DIE CASTING COMPANY

A handwritten signature in black ink, appearing to read "J. Benjamin Hancock".

J. Benjamin Hancock

Human Resources Manager

R. 1999



A PHB Company  
7900 WEST RIDGE ROAD  
FAIRVIEW, PA 16415-1899  
TEL: 814-474-5511 • FAX: 814-474-2063

January 1, 1999

Reaffirmation Of Policy  
(60 - 2.13a/60 - 2.20)

#### COMPANY POLICY ON EQUAL EMPLOYMENT OPPORTUNITY

It is the policy of PHB Die Casting to provide equal opportunity to all qualified employees and applicants for employment without regard to race, color, creed, national origin, age, sex or handicap/disability. Affirmative action shall be taken to ensure the fulfillment of this policy. This obligation includes:

- Hiring, placement, upgrading, transfer or demotion
- Recruitment, advertising or solicitation for employment
- Rates of pay or other forms of compensation
- Selection for training
- Layoff or termination

This policy is consistent with the requirements and objectives set forth by Executive Order 11246, the Rehabilitation Act of 1973, the Americans With Disability Act of 1990, the Vietnam Era Veterans Readjustment Act of 1974 and the Family and Medical Leave Act of 1993.

The objective of PHB Die Casting is to obtain individuals qualified and/or trainable for a position by virtue of job-related standards of education, training, experience and personal qualifications.

PHB DIE CASTING

A handwritten signature in black ink, appearing to read 'William M. Hilbert, Sr.'.

William M. Hilbert, Sr.  
President

**HARASSMENT OF EMPLOYEES**

March 26, 1996

R. 1996

Harassment of employees is a serious issue which neither the Company, nor the Union condone. Particularly sensitive are the areas of harassment related to race, color, creed, sex and national origin. Not only is harassment of employees in relation to the above-mentioned areas a violation of Company Rules and Policy, it is also a violation of federal and state laws.

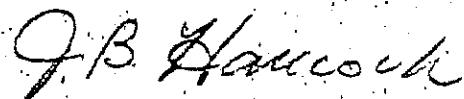
Many actions may be interpreted as harassment. Writing disparaging remarks on restroom walls, making abusive remarks to other employees and making suggestive remarks to members of the opposite sex can create problems for the Company and the Union.

We would advise all employees to be cautious of their words and actions. Harassment of fellow employees can result in discipline up to, and including termination of employment.

We appreciate your cooperation in complying with Company Policy and the federal and state laws related to harassment.



Gregory A. Bible  
President  
USWA, Local 711



J.B. Hancock  
Personnel Manager  
PHB Die Castings

RACIAL AND SEXUAL HARASSMENT  
April, 1995

This is to remind all employees that both racial and sexual harassment are violations of company policy and of federal and state laws.

Harassment can take many forms. It can involve making disparaging remarks to fellow employees, writing nasty or obscene remarks on restroom walls and stalls, hanging signs on company premises (including in the parking lot), distributing or posting derogatory cartoons or any other action that may be offensive to a fellow employee.

We should all treat each other with dignity and respect. Actions that are considered racial or sexual harassment will be dealt with severely. We would ask that each of you exercise some restraint before you say or do something that may be offensive to another person.

Thank you for your cooperation in this matter.

PHB DIE CASTINGS

RACIAL AND SEXUAL HARASSMENT  
March 3, 1997

This is to remind all employees that both racial and sexual harassment are violations of company policy and of federal and state laws.

Harassment can take many forms. It can involve making disparaging remarks to fellow employees, writing nasty or obscene remarks on restroom walls and stalls, hanging signs on company premises (including in the parking lot), distributing or posting derogatory cartoons or any other action that may be offensive to a fellow employee.

We should all treat each other with dignity and respect. Actions that are considered racial or sexual harassment will be dealt with severely. We would ask that each of you exercise some restraint before you say or do something that may be offensive to another person.

Thank you for your cooperation in this matter.

PHB DIE CASTING

# Exhibit 26



WELCOME  
TO

PARKER WHITE METAL  
COMPANY

We wish to welcome you as a new employee of Parker White Metal Company.

In order that you may understand the established regulations, we ask you to read this carefully.

Every group of individuals must be guided by certain regulations. The purpose is to prevent confusion and misunderstanding and to assist in creating efficiency, harmony and safety.

From collective experience over the years we have established two categories of rules. In category I are those rules covering minor offenses. The violation of these rules will result in the issuance of a warning slip to the employee. Continued violation of these rules will result in disciplinary action.

Category II covers rules that, due to their serious nature, must be obeyed. Any violation of these rules will result in discharge.

## CATEGORY I

### MINOR OFFENSES

1. Carelessness or poor workmanship which causes the product to be scrapped or reworked.
2. Leaving the plant, or assigned job, or assigned department during working hours without permission of supervisor.
3. Excessive absenteeism including tardiness and leaving work early.
4. Throwing objects out of windows.
5. Lack of cooperation with supervisors and / or co-workers.
6. Failure of an employee to report to a supervisor any unusual condition apparent during his work.
7. Exceeding authority.

8. "Horse play" and practical joking.
9. Failure to report an accident or injury at the time it occurred.
10. Failure to go to the first aid room when so ordered.
11. Excessive profanity or abusive language.
12. Violation of safety rules when the act is unintentional.
13. Not punching out when leaving the building or punching in on returning.

## CATEGORY II

### CAUSE FOR DISMISSAL

1. Obtaining employment on the basis of false or misleading information.
2. Stealing Company or fellow worker's property.
3. Falsifying any time card, time keeping record, or job ticket, or giving false information to one whose job it is to make such records.
4. Punching "in" or "out" another employee's time card or having another employee punch your card "in" or "out".
5. Intoxication or being under the influence of drugs during working hours or bringing alcoholic beverages or illegal drugs onto Company property.
6. Threatening another employee.
7. Fighting in the plant or on Company property.
8. Tampering with fire fighting, electrical or safety equipment.
9. Sabotage or deliberate damage or destruction to tools, equipment, products, or property belonging to the Company or to a fellow worker.

## **SAFETY RULES**

10. Sleeping on the job.
11. Divulging of confidential Company information.
12. Insubordination or refusal to follow reasonable assignments or orders.
13. "Horse play" or deliberate disregard of any one safety rule where the consequences of the act could be serious injury.
14. Engaging in any unauthorized interruption, stoppage, or slowdown of work.
15. Bringing firearms or weapons of any kind into the plant.
16. Falsifying any report or record related to claims of illness or injury.

Your safety and health is important to both you and the Company. Accident avoidance is a matter of thinking about safety and working safely at all times. In the case of an accident everyone suffers: the employee suffers from loss of wages and painful injury which could result in loss of life; the Company suffers from loss of production from the injured employee, loss of production from other employees whose work is interrupted by the accident, and increased insurance rates.

For your future safety, the Company has developed rules for your protection. By following these rules you can make this plant a safer place to work. These regulations will be composed of general rules and ones that pertain to specific hazards or equipment. The following rules are general guidelines which are to be complied with:

## **UNION MEMBERSHIP**

All new, hourly employees must join Local No. 711 of the United Steelworkers of America within sixty (60) days after the date they are hired and remain a member of the Union as long as the Company has an agreement with it. Up to that time you are a probationary employee. At any time before the end of the sixty (60) day probationary period the Company may, at its option, lay-off, discharge, promote, transfer or demote probationary employees.

## **I. GENERAL RULES**

1. Obey all safety regulations and signs.
2. Follow instructions. If you are unsure of the safe procedure, do not guess. Ask your supervisor.
3. If you notice an unsafe condition, correct or report it immediately.
4. Use the right protective equipment for the job and wear safe clothing.
5. Report any accident **immediately** to your supervisor. He will see that you receive first aid or medical treatment. Page 10 of 224
6. If you are injured and are treated by a physician, an accident report must be filled out as soon as possible after the accident.
7. Use, adjust and repair equipment only if you are qualified to do so.
8. Get help to lift heavy loads.
9. Avoid "horse play" on the job.

## **ABSENTEEISM**

### **REGULAR ATTENDANCE OF EVERY EMPLOYEE IS REQUIRED**

If you must be absent, you must notify the Company before the start of your shift to enable your supervisor to make the necessary adjustments in his schedule to compensate for your absence. This requirement is for your protection, since three (3) consecutive days' absence without notification will be deemed cause for dismissal.

10. Do not talk to fellow employees while they are operating machinery.
11. Keep your work area clean and clear of obstacles.
12. **Eye protection** must be worn in all posted areas and in any situation where there is a danger of chips, or any foreign material entering the eye.
13. Hard hats are required when operating a stand-up type fork lift, when operating a lift truck with a work platform attached, when working on or under a work platform or when there is a danger of head injury.
14. **Work shoes** are required to be worn on the job. Canvas shoes or sneakers, open-toed shoes and sandals are not to be worn on the job. Although steel toed work shoes are not required, it is suggested that they be worn on the job. They may be purchased through the Personnel Office.
15. Access to doors and first aid equipment must be maintained at all times.
16. **Hearing protection** is to be worn in areas and on jobs that have a high noise level.

operating a machine and are authorized to operate it, do not operate it. Before you turn on a machine, make a safety check to insure that the guards are in place and properly adjusted, and the moving parts are free to turn.

Specific rules are as follows:

1. Do not walk away from a machine and leave it running.
2. When you make adjustments, turn off the power and let the machine stop completely by itself. Do not try to brake or slow down moving parts with your hands.
3. Safety devices shall not be tampered with or rendered inoperable.
4. Keep your machine clean.
5. Watches, rings, bracelets and loose hanging necklaces or chains should not be worn while operating machinery or using hand tools.
6. If chips accumulate while operating a lathe and need to be cleaned from the machine, do it with a stick or brush. Do not use your hands.
7. Eye protection must be worn while operating any type of machine.
8. Long hair must be kept tied back or confined with a hair net.
9. Long sleeves are required when operating a die casting machine.
10. Use the right tool for the job. Replace splintered, broken or loose handles before using the tool.
11. Do not apply excessive pressure or force to hand tools, or use a pipe extender on the handle of a wrench for more leverage. Get a larger wrench.

## II. SPECIFIC RULES

In your work activities in the plant you will encounter certain conditions that have the potential for causing serious accidents. To help all employees deal with these hazards in a safe manner we have formulated certain rules that must be complied with daily. The specific hazards are divided into categories and each has rules that apply separately. They are as follows:

## MACHINE AND HAND TOOL HAZARDS

Accidents involving machinery are one of the leading causes of occupational injury. Improperly trained operators often are victims. Until you have been instructed on the procedures for safely

## ELECTRICAL HAZARDS

1. All portable power tools (except ones that are double insulated) must be grounded.
2. If you are not an electrician, do not try to make electrical repairs. Only qualified electricians are allowed to work on electrical equipment.
3. Water and electricity can be fatal combinations. Do not use portable electrical equipment if your hands are wet or if you are standing on wet ground.
4. Watches, rings, bracelets and loose hanging necklaces or chains should not be worn around electrical equipment.

## FIRE HAZARDS

1. Always obey "No Smoking Signs". They are placed in certain locations in the plant to alert you to fire hazards. Some hazards cannot be seen, such as vapors. Lighting a match or cigarette lighter could cause a fire or an explosion.
2. Do not let flammable waste lie around. Flammable or combustible liquids are to be placed in special containers. They should never be poured down drains or sewers.
3. Change your clothes immediately if they are soaked with oil, kerosene, or any other flammable liquid. Vapors retained in the cloth can catch fire and cause a serious burn.

## LIFTING

Manual handling of materials is the major cause of occupational injuries. Lifting can be done without injury by following the rules below:

1. If the object is too large or heavy, get help.

## Lift in the correct manner.

- a). Put one foot beside the object and the other foot behind it.
- b). Keep your back straight.
- c). Get a firm grip with the palms of your hands. A finger grip is weaker and can slip.
- d). Draw the object close to you and be certain that your body weight is centered over your feet.
- e). Lift up by straightening your legs. This uses leg muscles instead of back muscles.
- f). Avoid twisting or turning while lifting.
- g). Putting the object down is just as important as lifting it. Simply follow the lifting procedures in reverse.

## FIRE FIGHTING EQUIPMENT

1. Become familiar with the location of fire extinguishers.
2. If you must use a fire extinguisher, have it replaced with a fully charged one.
3. Areas around fire fighting equipment shall be kept clear of obstructions.
4. Fire fighting equipment shall be used for its intended purpose only.

## SPECIAL HAZARDS

1. Compressed air should never, under any circumstances, be used to clean clothing or parts of the body.
2. Handle all compressed gas cylinders as if they are full securely. Use a cylinder truck to move them and make sure that the protective cap is screwed in place when the cylinder is not in use.
3. Do not look at arc or gas welding operations unless you

4. Fork lifts are for moving materials and not people.  
are wearing the recommended eye protection.

**A SAFETY PROGRAM CAN ONLY BE  
SUCCESSFUL THROUGH THE COOPERATION  
OF ALL EMPLOYEES**

**FAIRVIEW HOURLY EMPLOYEES OF  
PARKER WHITE METAL COMPANY**

**SICK AND ACCIDENT BENEFIT PLAN**

**SUMMARY PLAN DESCRIPTION**

Effective 1-01-98

SECTION I

SCHEDULE OF WEEKLY BENEFITS

The maximum amount of your sick and accident benefits is as follows:

Length of Service	Maximum Weekly Benefit
0 but less than 60 days	0
60 days or more	\$275.00 per week for a maximum of 52 weeks.

Note: Weekly benefits will begin with the first day of Total Disability if due to accident and with the fourth day of total disability if due to illness or pregnancy.

SECTION II

DEFINITIONS

The terms set out below, wherever used in this Booklet, shall be construed as follows:

1. Actively at Full-Time Work: Engaging in and performing the normal duties of employment on a regular basis for the Company for not less than 30 hours per week.
2. Calendar year: A period of one year commencing with January 1st up to and including December 31st.
3. Company: The Company is the Parker White Metal Company.
4. Eligible Employee: All full-time hourly employees employed by the Company at Fairview, Pennsylvania.
5. Participant: An Eligible Employee who has met all of the eligibility requirements of the Plan.
6. Plan: The name of this Plan is Fairview Hourly Employees of Parker White Metal Company Sick and Accident Plan.
7. Plan Administrator: The Plan Administrator is the Parker White Metal Company. The Plan Administrator is responsible for the day-to-day functions and management of the Plan. The Plan Administrator may employ persons to process claims and perform other Plan connected services.
8. Total Disability: Your complete inability to perform any and every duty pertaining to your occupation or employment.
9. Weekly Benefit: The benefit which you are entitled to receive pursuant to the terms of Section IV of this Booklet.

### SECTION III ELIGIBILITY AND CONTRIBUTIONS TO THE PLAN

#### Eligibility

All full-time hourly employees employed at Fairview, Pennsylvania whose employment with the Company is covered by a Collective Bargaining Agreement between the Company and the United Steelworkers of America, Local #711 are to be eligible for coverage on the date of completion of 60 days of service with the Company.

#### When Your Coverage Commences

Your coverage commences on the date you become eligible provided you are not away from work due to Total Disability on that date. If you are away from work your coverage will not start until your return to active full-time work.

#### Contributions to the Plan

(1) General: The Company shall make payments to cover benefits paid by the Plan in amounts determined from time to time by the Plan Administrator.

### SECTION IV SICK AND ACCIDENT PLAN PROVISIONS

#### A. Benefits

If you become subject to a Total Disability due to accidental bodily injury or from sickness or as a result of pregnancy, childbirth or a related medical condition, other than injury or sickness hereinafter excluded, so as to be prevented from performing any and every duty pertaining to your occupation, the Plan will, subject to the conditions hereinafter stated, pay you the Weekly Benefit indicated in the Schedule of Benefits.

Weekly Benefits will begin with the first day of Total Disability if due to accident and with the fourth day of Total Disability if due to sickness or pregnancy. Such benefits will continue for not more than fifty-two weeks during any one period of Total Disability, whether from one or more causes, while you remain Totally Disabled and are not Actively at Full-Time work. You must be under the care of a qualified physician if the Total Disability is due to sickness or pregnancy.

Successive periods of Total Disability separated by less than thirty days of active work on a full-time basis are considered as one period unless the subsequent disability is due to an injury or disease entirely unrelated to the cause of the earlier disability and commences after you return to work on a full-time basis.

B. Benefit Amount

The maximum sick and accident benefit is \$265.00 per week, subject to a maximum of 52 weeks.

C. Exclusions

Benefits are not payable for loss resulting from:

1. Any injury or disease covered by Workmen's Compensation Law or Act or similar occupational legislation;
2. Any injury or disease sustained while engaged in any occupation for remuneration or profit;
3. Any Total Disability resulting from any injury or disease for which you are not treated by a qualified physician.

SECTION V

OTHER PROVISIONS

Amendment or Discontinuance of Plan

The Company reserves the right to change or discontinue the Plan. However, this will be done only after adequate notice to each Participant and to representation of United Steelworkers of America, Local #711. Any amendment of the Plan shall be set forth in an instrument in writing executed by a duly authorized representative of the Company and the Union.

Termination of Coverage

Benefits provided under the Plan will automatically terminate upon the earliest of the following to occur:

- (i) the date you cease to be Actively at Full-Time work due to a temporary lay-off,
- (ii) the date your employment terminates,
- (iii) the date you are no longer in a class of employees eligible to be covered under the Plan, or
- (iv) the date this plan is discontinued.

Termination of any coverage under the Plan shall be without prejudice to any claim arising prior to termination.

How do you Appeal Denial of a Benefit

If you feel that a denied claim should be reviewed, you have seventy-five (75) days from the denial to ask the Plan Administrator to start a review. A request must be accompanied by your explanation of why you believe that the claim should have been approved. This will then be reviewed by the Plan Administrator, who will notify you of a decision no later than sixty (60) days after receiving the request. Beyond this you may have further rights under the Employee Retirement Income Security Act (ERISA).

STATEMENT OF ERISA RIGHTS

SECTION VI

STATEMENT OF ERISA RIGHTS

For the purpose of meeting certain requirements of the Employee Retirement Income Security Act of 1974, the following information is provided for use with this Booklet to form the Summary Plan Description.

A copy of the Plan is available for your review during normal working hours in the office of the Plan Administrator.

As a Participant in the Plan, you are entitled to certain rights and protection under the Employee Retirement Income Security Act of 1974 (ERISA). ERISA provided that all Plan participants shall be entitled to examine without charge at the Plan Administrators office and other locations all plan documents, including insurance contracts, and copies of all documents filed by the Plan with the U. S. Department of Labor such as annual reports and Plan descriptions. You also shall be entitled to obtain copies of all Plan documents and other Plan information upon written request to the Plan Administrator. The Plan Administrator may make a reasonable charge for the copies.

In addition, you shall be entitled to receive a summary of the Plan's annual financial report. The Plan Administrator is required by law to furnish each Participant with a copy of this summary financial report.

You also may file suit in a federal court if any materials requested are not received within thirty (30) days of the participant's request, unless the materials were not sent because of matters beyond the control of the Plan Administrator. The court may require the Plan Administrator to pay up to one hundred dollars (\$100) for each day's delay until the materials are received.

In addition to creating rights for Plan participants, ERISA imposes obligations under the persons who are responsible for the operation of the employee benefit plan. These persons are referred to as "fiduciaries" in the law. Fiduciaries must act solely in the interest of the plan participants, and they must exercise prudence in the performance of their plan duties. Fiduciaries who violate ERISA may be removed and required to make good any losses they have caused this Plan.

Your employer may not fire you or discriminate against you to prevent you from obtaining a benefit from this Plan in full or in part. You have the right to file suit in a federal court or request assistance from the U. S. Department of Labor. If you are successful in your lawsuit, the court may, if it so decides, require the other party to pay your legal costs including attorney's fees.

If you have any questions about this statement of your rights under ERISA you should contact the Plan Administrator or the nearest Area Office of the U.S. Labor-Management Services Administration, Department of Labor.

SECTION VII

MISCELLANEOUS

The following specifics are for your reference:

Plan Name

Fairview Hourly Employees of Parker White Metal Company Sick and Accident Benefit Plan

Plan Effective Date

January 1, 1984

Type of Welfare Plan

Sick and Accident Benefit Plan

Plan Administrator

Parker White Metal Company  
7900 W. Ridge Road  
Fairview, PA 16415-0905  
Federal Employers Identification Number: 25-0924453

Plan Number

503

Funding Medium

Self-funded

Source of Contributions

The Company pays all required contributions to the Plan.

## **SICK AND ACCIDENT BENEFITS WORK INSTRUCTIONS**

### **Eligibility:**

All hourly employees with 60 days of service are eligible for up to 52 weeks of benefits.

### **Benefit Entitlement:**

Benefits begin on the fourth day of disability that is due to an employee's illness. There is no waiting period if the disability is due to a bona fide accident.

### **Application Process:**

1. The employee must notify the Human Resources Department/Plant Nurse of his/her disability and request a **Sick and Accident Benefit Form**.
2. Human Resources/Plant Nurse will fill out the basic information on the front of the form. The forms are in the file cabinet behind the desk in the spare office or are available from the nursing office.
3. The sick and accident benefit form can either be mailed to the employee or given to them or their designated representative along with an instruction sheet and FMLA notice.
4. The employee will need to complete the appropriate information on the form, sign the form where indicated, and give it to his/her physician for completion.
5. The completed form may be mailed, faxed, or hand delivered to the Human Resources Department/Plant Nurse for review and processing.
6. Once the form is received by the Human Resources Department/Plant Nurse it will be reviewed. If all of the necessary information has been completed on the form, it will be processed for payment of the appropriate benefit.

7. If information is lacking on the sick and accident benefit form, it will be returned to the employee with a note indicating what is needed and further instructions. When the necessary information has been obtained, the claim will be processed for payment of benefits.

**Payment of Benefits:**

1. For payment of benefits during the current calendar week the sick and accident benefit form must be received by 10:00 AM on Monday morning with all of the necessary information completed on the form. Should Monday be a holiday, the deadline will be extended to Tuesday morning at 10:00 AM.
2. If the form is received after the deadline, benefits will be paid the following week.
3. Benefits will be paid until the date indicated on the form by the physician when the employee should be back to work. The employee will be notified that their benefits will be paid until this date. Should the disability extend beyond the original return to work date, the employee must notify the Human Resources Department/Plant Nurse of his/her continuing disability. A **Supplemental Sick and Accident Benefit Form** will be mailed or given to the employee for completion by the physician on or after each subsequent office visit. A **Supplemental Sick and Accident Benefit Form** may also be mailed or given to the employee for completion by the physician when the employee is on disability for an indefinite time period as indicated by the physician. This may occur one or more times during an employee's disability. The same procedures, time frames, etc. that apply to the original sick and accident benefit application for benefits apply to the supplemental form for a continuation of benefits.
4. Benefits will be discontinued when the employee is released by the physician to return to work.

**Other Information:**

Other information related to the benefits is contained in the Summary Plan Description for Sick and Accident Benefits.

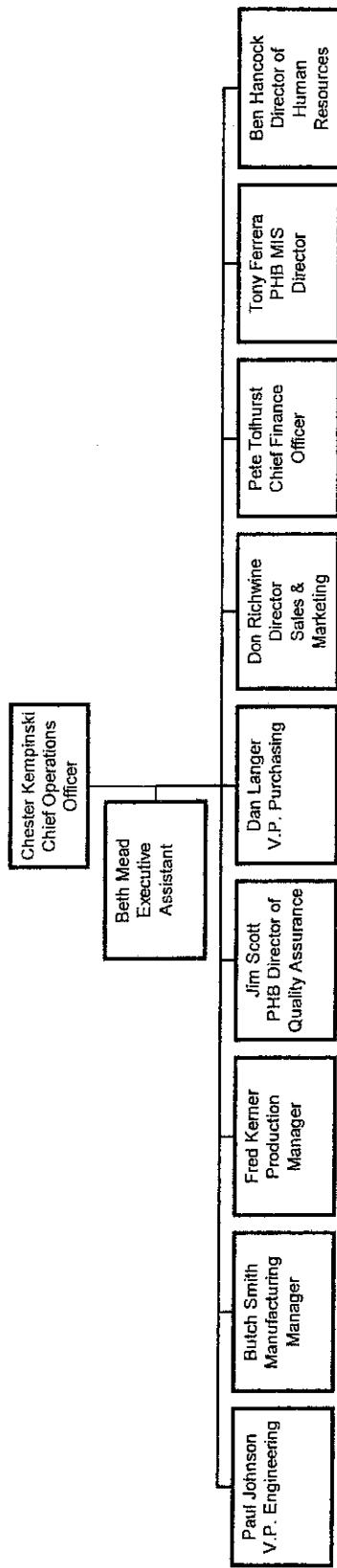
**Revised 04-25-03**

## NUMBER OF PHB EMPLOYEES

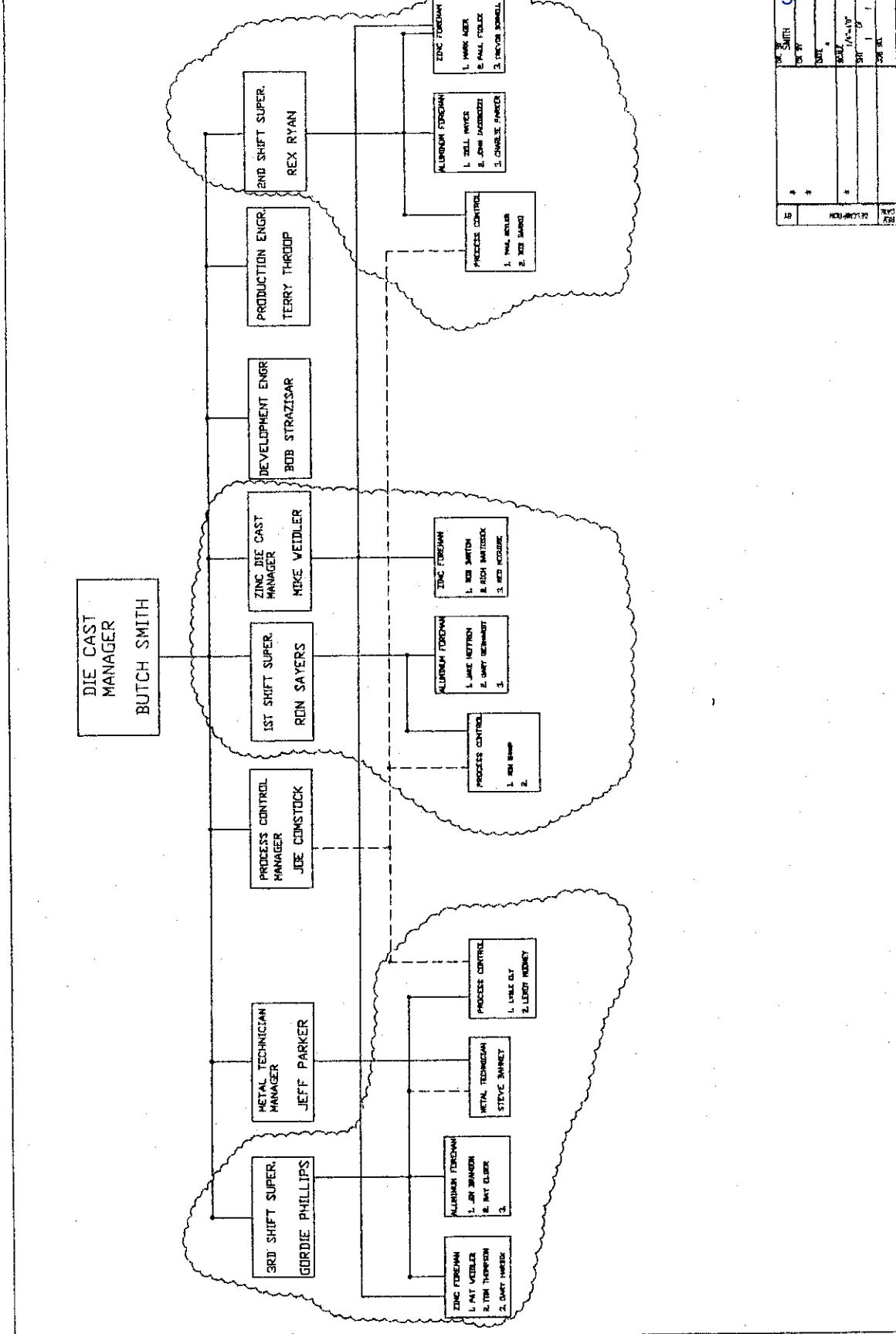
AS OF JUNE, 2003

DIVISION	ACTIVE EMPLOYEES	LEAVE OF ABSENCE	EXTENDED PERIOD OFF WORK	LAY OFF	TOTAL
PHB CORPORATE	21				21
PHB DIE CAST SALARY	123				123
PHB DIE CAST HOURLY	272	4	3	26	305
PHB MACHINING	124				124
PHB MOLDING	25				25
PHB TOOL & DIE	35			1	36
TOTAL	600	4	3	27	634

# PHB DIE CAST



June 25, 2003



Joe Smith	Or 77	Date	Scale
4	*		1/4=1"
4	*		30'
			1'
			300 ft
			1000 ft

NOV-00-2002  
PMS

# Exhibit 27

This grievance was written as Rich felt that the company was harassing him in several different areas. In Rich's mind, when you look at all these areas together as a whole there was an overwhelming pattern of harassment. Rich contends that this harassment stems from his testifying for Fred Jackson against PHB.

The union looked at this grievance and decided to break it into 5 separate categories and treat each one on its own merit. To this end we have decided the following:

The S&A harassment issue - we find that Rich did not provide adequate proof that the company intentionally held up his S&A, so we consider this part of the grievance withdrawn due to lack of merit. The company was partially to blame for part of this, but so was Rich for not having the paperwork in at the appropriate times and probably the doctor played a part in this too by not filling out the physicians part of the paperwork in a timely enough manner. The company has since addressed this by trying to better inform those employees on S&A what the rules and time frames are for having their paperwork back in a timely manner so that a paycheck can be issued. The company needs to continue to reinforce this message to those off on S&A so that in the future no employee will feel that they have been treated any differently than another when it comes to getting their S&A in a timely manner. This can be achieved by giving the employee a written instruction sheet at the same time they are given the S&A papers and we recommend that this be done from now on.

The phone call harassment issue - we find that Rich did not provide adequate proof that the company had anything at all to do with these phone calls, so we consider this part of the grievance withdrawn due to lack of merit.

The company picnic issues - we find that Rich did not provide adequate proof that the company intentionally treated Rich and/or his family members different than other PHB employees and the union withdraws this part of the grievance due to lack of merit. What happened to Rich and his family was unfortunate, and if in the future should the picnic ever take place again steps should be made to ensure that no employee feel that he\she has been treated differently than any other employee and this can be achieved by making sure the paperwork process has no glitches.

The Bad Boy List - this issue we believe will ultimately be decided by the EEOC and place this part of this grievance on hold pending the EEOC's findings pertaining to the legality of the attendance policy.

The verbal harassment by Mark Nine and Mike Wiedler - the union cannot tolerate nor condone such behavior but understands that it goes on in this plant on a daily basis. We are hoping that this behavior will be addressed in the up-coming anti-harassment\discrimination classes the company has told us will be given in the near future. To this end, we place this part of the grievance on hold pending the outcome of these classes. Considering this type of training has been offered here at PHB before, we hope that THIS training has a much better success rate than past similar anti-harassment\discrimination training sessions have had here at PHB. We also feel that Rich deserves an apology from the respective supervisors as what was said by these supervisors was unprofessional and was uncalled for. What they said to this employee who was off on S&A due to anxiety reasons, did nothing to improve this employees state of mind, in fact what they said to him that day could have made his health much worse.

# Exhibit 28

To : Ben Hancock  
From : Greg Bible  
Re: Roy Hinton  
Date : 3 - 25 - 02

This past Saturday, an incident occurred between Roy Hinton and Chet Kempinski. This occurred while Roy was working at 800Z8. Chet came up and asked him a question. Roy replied with his pent-up feelings that he had been discriminated against by PHB and Chet took offense to this and told Roy if this was how he felt he should quit. Roy told him for two to three hundred thousand dollars he would quit. Roy states that at that point Chet became very angry and got right in his face and he, Roy, was worried that Chet intended to get physical. Instead, Chet told him something to the effect that his day was coming, which Roy takes as a very serious threat to his job here at PHB.

Roy is concerned for his job as he feels he has already been discriminated against once by PHB and the fact that PHB treats black employees differently than white employees. Why does he feel this way? Fred Jackson, a black employee, allegedly threatens Gary Hardick with no witnesses and Fred is immediately terminated.

Mike Little, a white management employee, allegedly threatens two separate individuals (in one case there was a witness) and there was no disciplinary action.

Tim Holmstrom, a white employee, allegedly threatens his supervisor and he is given a Last Chance Agreement.

Keith Regelman, a white employee, physically attacks another employee and he suffers no discipline at all!

Roy is concerned that Chet will say that Roy was the aggressive person in this incident on Saturday and have him terminated. He feels that Chet has been attempting to do something like this for some time as he repeatedly seeks Roy out while walking through ZDC. Roy has attempted to limit his exposure to Chet as he felt this was for his own best interest, but when Chet comes right up to his work-center, there is no place to hide.

In the past he has kept his opinions to himself and just offered back the basic chit-chat that could not be construed as anything but chit-chat. I think that this Saturday, Roy couldn't hold back any longer due to the companies lack of discipline in the Regelman incident. Roy knows he did some things wrong that led to what happened to him. But, the punishment was way too severe for the crime and he feels that PHB has an obligation to admit that they too did wrong. He personally holds you and Chet responsible for the extremes that PHB took to make him look like a bad employee and to the extremes that you tried to punish him.

Roy just wants to be left alone. In fact, he said that is what he told Chet, just to go away and leave him alone. He was a good employee before the incident with Chris Klobusnick, and he has been a good employee since his return after the arbitrators decision. He likes his job here at PHB. He can't say the same concerning you or Chet. But putting his personal feelings for the two of you aside, he has been and will continue to be a good employee for PHB. His attendance record has been good. He works just about all the offered overtime that he can. His supervisors (to this point and I would hate to see this suddenly change!) have no complaints to my knowledge concerning his work ethics.

This letter has two purposes. One, to ensure that nothing bad happens to Roy solely because he had the audacity to truthfully answer a question when asked. I would also recommend that Chet abide by Roy's request and leave him alone from now on unless Chet is willing to take the high road and apologize to Roy. Chet may feel he is the aggrieved party here due to Roy's dislike of his past treatment, but if he is man enough to look at what PHB put Roy through back then (try to do this through Roy's eyes taking into account how PHB has treated other employees) he should be able to understand Roy's pent up frustrations. Chet should also take into account Roy's past and current work record! Roy has been a good employee.

The second purpose of this letter is to state that Roy is not alone in his opinion that PHB treated them wrongly in light of the Regelman incident. Several employees have outstanding LCA's for different reasons that in light of how the company handled the Regelman incident have them feeling that they were discriminated against. Several other employees have received punishment in the past that under consideration of how the company handled the Regelman incident has them feeling that they were treated far worse than they should have been.

We, the company and the union, are both going to regret that no disciplinary action was taken involving the Regelman incident. This is going to cause us problems for quite sometime as the companies lack of action makes no sense to anyone. Whenever any disciplinary action is taken in the future the lack of discipline in the Regelman incident will be brought forward by the person being disciplined and from the unions perspective, they will have a good argument.

But the main reason for this letter is to ensure that nothing untoward happens to Roy Hinton because someone didn't like the answer to their question. You can't treat people like you did Roy and expect them to respect you for it. Chet's actions this past Saturday did nothing but reinforce Roy's lack of respect and distrust of upper management here at PHB.

*B. Sibley*

To : Ben Hancock  
From : Greg Bible  
Re : Roy Hinton\Chet Kempinski  
Date : 4 - 12 - 02

Everyday, Roy comes to us and asks, what was the company's response to the memo concerning the incident between Roy and Chet. Roy feels that if this is allowed to be swept under the rug, and we all pretend this did not occur, that Roy's days here are numbered. If the company takes no action at all, this gives Chet the go ahead to one day make good his threat that Roy will get his.

Roy feels that had he been the one that had made this threat, he would have been immediately terminated. He feels that once again, he is being discriminated against by PHB.

To date, I have nothing to tell him as we have heard no response, in fact it is as though nothing ever took place. How can I explain to Roy that he has nothing to fear and that he is not being discriminated against when I know that had he been the one making a threat he would have been terminated on the spot. No one should have to come to work everyday with this type of threat hanging over their head. Especially someone we've already treated rather shabbily in the past. He knows already just how vindictive this company can be.

Something needs to happen to allow for some form of closure on this or it will end up being another disaster just like the Regalman incident and will just continue to haunt us. Let me know what the company's intentions are, if any, concerning some form of resolution to this incident.

Bible

To : Ben Hancock  
From : Greg Bible  
Date : 4 - 24 - 02  
Re: Your reply to the Roy Hinton memo

Ouch! I think I just got slapped. My first impression is that I should be apologizing for wasting your very valuable time over something as silly as a human relations problem. Oh gee, that's right, you are the Human Relations Director here at PHB Die Cast and as such I would presume should be the one I go to when there is such a problem. But maybe I just don't understand the system or exactly what your job duties are.

I was not, and am not trying to argue with you the merits of your case against Fred Jackson. I have spoke my peace about this and feel that Fred will ultimately prevail but that really has no bearing here.

As for your argument that the union always espouses that each case is different, you are correct. The part you conveniently left out is why we have to argue this every case. Because the company has always argued the opposite. Funny in this case that the company has all of a sudden decided that the union position is the correct position.

As for my trying to tie many events involving different employees together and make them the same, you have totally missed the main point of my arguments each time. I am not trying to make each case the same. Nope, just trying to find some semblance of order in how these cases were handled. Every case should be judged on it's own merit (gee, it sure is nice we agree about something!), but each case should also be decided and handled in a manner where there seems to be some form of "FAIR" justice. Some form of order, merit, and fairness to show that there was no discrimination or unfair or unjust treatment. THAT is exactly what is lacking and what I have been arguing for, and that is why I feel Fred Jackson will ultimately prevail in his law suit.

I love the next part. "Roy Hinton was disciplined in the past. The case went to arbitration and the arbitrator decided that the company was justified in disciplining Roy." Wow! Now that's a statement! No one ever said Roy was completely innocent. No one ever said that Roy didn't deserve some form of punishment. The problem was, and the reason for the grievance, was that your punishment was too severe....you terminated Roy, you didn't just discipline him. The fact that the arbitrator gave Roy his job back clearly shows that the arbitrator did not think that the company was justified concerning the discipline awarded. Nice play on words though!

"If a white employee had done the same thing, would they have been disciplined? There is no doubt in my mind that if the circumstances were the same, the discipline would be the same." I suggest that you get a transcript of this arbitration and look at your very own testimony. You testified that if a case involved only the things that Roy agreed he did, the only ones the company proved really happened, that this would not be grounds for a termination, maybe a written warning and maybe some time off, but not a termination. I think the arbitrator agreed with you there. (What happened to every case should be judged on it's own merit? Probably was an hourly person and not someone from management that precipitated the problem)

"He presented himself as a model employee and this just wasn't the case." Another nice statement, but in reality how does it stack up to facts? As the union president I am involved whenever an employee does something bad. Since Roy is what PHB considers a "Not so model employee", I must have been involved with Roy many times in the past. A "Not so model employee" probably has a file full of written warnings. Gee, I can't remember Roy hardly ever (if ever) getting written up for anything. A "Not so model employee" probably has oodles of warnings for missing work. Gee, I don't think Roy has any of these either. A "Not so model employee" probably refuses all overtime. Gee, I believe Roy worked almost every bit of OT he was asked for. A "Not so model employee" has probably been called up front and talked to several times in the past. If so, he must have taken his union steward along as I was never apprised of this happening. Gosh, I wonder why Roy would hold a grudge against you for trying so hard to make him out to be a bad employee???

"Obviously, he has not learned anything from the past." Actually, I think he learned a lot from the past, that he cannot trust upper management to treat him fairly. In fact, I believe he learned this lesson all to well and your response to this latest incident only confirms everything he has learned.

'As far as his relationship with Chet, I cannot comment too much about that. It matters little. Boy, now that statement said a lot about what is wrong around here! Upper management doesn't care about it's employees is what that statement basically says to me. You'd have thought Chet would have learned something during negotiations, not to ask a question that you didn't want to hear the answer for. Not everyone is going to make small talk or lie and tell him what he wants to hear. On occasion, someone is liable to tell him exactly what that person feels and/or believes and Chet is not going to like hearing the answer. Should that person be fired or disciplined for being honest? (only if the company *develops* witnesses...what's up with this???)

"Chet should have developed a witness and then had Roy disciplined for respect, or a horrible attitude towards the company and management." Apparently Roy was who went to Chet's work area to approach Chet? Apparently Roy was the one who got pissed off and got right in Chet's face? Apparently, Chet felt his job was threatened that day? Respect is a funny animal. One isn't born with it, one has to earn it and if you are going to fire employees because they don't respect you, we might find that there are no employees left. (Oh yeah, so the company *develops* witnesses? There's a sure way to gain your employees respect. It's right up there with making out that they are also a "Not so model employee"!)

Not so very long ago, I personally was disrespectful to Chet. I could have buried my head in the sand and said too bad, but instead I chose to apologize to him in person. Why? I basically did this out of respect and for respect. Respect is a two way street. If I had ignored the fact that I had done wrong I would have lost Chet's respect as well as respect for myself and quite possibly the respect of many others. As I stated earlier, one isn't born with respect, one has to earn it, and sometimes this isn't so easy.

Both you and Chet have just taken a long ride down on my respect meter and the respect meter of many other employees because of how you mis-handled this incident!

Yes. Roy Hinton does work here. An arbitrator saw to that. Does he have to like you after what you did to him? No. But it sure would be better for all employees to know that no one here has to come to work scared that they could lose their job at anytime because upper management doesn't like them. Accomplish this, and you will have the respect of every employee here!

*B. Blyle*

# Exhibit 29

STATE OF PennsylvaniaCASE NAME Woodard V. PHBCITY/COUNTY OF Erie/Erie

CHARGE NUMBER 172-2003-00954

## AFFIDAVIT

I, James Lee Fowler, being first duly sworn upon my oath affirm and hereby say:

I have been given assurances by an Agent of the U.S. Equal Employment Opportunity Commission that this Affidavit will be considered confidential by the United States Government and will not be disclosed as long as the case remains open unless it becomes necessary for the Government to produce the affidavit in a formal proceeding. Upon the closing of this case, the Affidavit may be subject to disclosure in accordance with agency policy.

I am 47 years of age, my gender is male, and my racial identity is Black. I reside at 1206 E. 21st. Street, City of Erie, State of Pennsylvania, Zip Code 16503.

I have been employed by the Respondent, PHB for almost 10 years. I currently work the second shift which operates from 2:30 p.m. to 10:30 p.m. I work in the Zinc department and report to various supervisors who are assigned to that shift. The Charging Party, Davyed Woodard, also works the second shift but works in the Aluminum Department. We do not see each other a lot at work. The Zinc department is much smaller than the Aluminum Department. I have not experienced blatant racism in the Zinc Department like the Charging Party.

I am aware that racism exists at the plant, particularly in the aluminum department. I learned this shortly after I was hired. I was asked to go over to the Aluminum Department because they were short handed. I and a Hispanic employee went to a supervisor and asked him what he wanted us to do. He just looked at us and walked away. We went up to him a short while later and he did the same thing. Finally, another supervisor gave us an assignment. The first supervisor who ignored us, retired several years ago.

STATE OF PennsylvaniaCASE NAME Woodard V. PHBCITY/COUNTY OF Erie/Erie

CHARGE NUMBER 172-2003-00954

**AFFIDAVIT (cont.)**

Another incident occurred shortly after I was hired. I was in the rest room using one of the stalls. Another employee made a comment stating that it was getting "too dark" in there. I do not know who made the comment. I believe that he was referring to the color of my skin when he made that comment.

I feel that I have been discriminated against in subtle ways that are difficult to prove. For example, a few years ago, my car was keyed at work and the hood ornament was twisted. I have also had my car spit upon. I do not know who did this and I did not report it to the company or management because I knew it could never be proved. I did inform some of my coworkers about this. I believe this was done because of my race.

I also feel that I was treated differently than other employees after I suffered a work related injury in 2000. I was required to return to work to perform light duty work even though I had to sit with an ice bag on my hip and my leg elevated. When I was ready to return to full duty Respondent did not take me back immediately even though my doctor provided a release. I had to provide documentation to the company 7 times before I was finally returned to work.

I have never seen any racially derogatory graffiti on the bathroom walls. I have seen other offensive writing referring to "gays" and "faggots." The company janitor usually paints over things like that soon after they appear on the walls.

STATE OF Pennsylvania

CASE NAME Woodard V. PHB

CITY/COUNTY OF Erie/Erie

CHARGE NUMBER 172-2003-00954

### AFFIDAVIT (cont.)

People have to write a letter explaining what happened when a part breaks. This is a fairly new procedure. Letters are not always required. It depends upon what broke and how long the machine was down.

I have no problems working in the zinc department. If anyone says anything to me that is offensive. I will tell them about it and the problem is taken care of.

The Charging Party, Dayved Woodard, and I are cousins. I did not know him before he began to work for the Respondent. However, we discovered after he started working for the Respondent that our mothers are related. Dayved has told me about some of the things that has happened to him.

I have read and had an opportunity to correct this Affidavit consisting of 3 typed pages and swear that these facts are true and correct to the best of my knowledge and belief.

---

date/signature

# Exhibit 30

STATE OF Pennsylvania

CASE NAME Woodard V. PHB

CITY/COUNTY OF Erie/Erie

CHARGE NUMBER 172-2003-00954

## AFFIDAVIT

I, Timothy Glen Norton, being first duly sworn upon my oath affirm and hereby say:

I have been given assurances by an Agent of the U.S. Equal Employment Opportunity Commission that this Affidavit will be considered confidential by the United States Government and will not be disclosed as long as the case remains open unless it becomes necessary for the Government to produce the affidavit in a formal proceeding. Upon the closing of this case, the Affidavit may be subject to disclosure in accordance with agency policy.

My gender is male, and my racial identity is Black. I reside at 402 Wilson Street, City of Erie, State of Pennsylvania, Zip Code 16507.

I have been employed by the Respondent, PHB, for almost 14 years. I have held my current position of Hot Metal Man for about a month. Prior to getting this position I was a Die Cast Press Operator in the Aluminum side for about 3 years. My immediate supervisor now is Jeff Parker.

I have not noticed any racial graffiti in the rest rooms during the last few years. About 8 years ago, I recall there was something on the walls. It was painted over quickly by the custodian. I have not seen anything since then.

I previously worked in the trim department. About 4 or 5 years ago, I felt that I was being messed with in my job assignments. I was a grinder and then I got booted to drill press. I was told there was a shortage in work for grinders. However, after I was moved to the drill press, the remaining grinder was working 10 hours a day. I complained to the Union about this. I did not say anything about race. I just said it wasn't fair. It was never really resolved.

About 8 to 10 years ago one of the foremen called me a "nigger". He said it to a white coworker. The white guy told me about it in front of

STATE OF PennsylvaniaCASE NAME Woodard V. PHBCITY/COUNTY OF Erie/Erie

CHARGE NUMBER 172-2003-00954

**AFFIDAVIT (cont.)**

this foreman. The foreman John Yakobosky, then said he was just kidding. I did not go to HR or my supervisor. This supervisor never said anything like that again in my presence or in the presence of the white employee who told me about the foreman's comment.

There are only about 7 or 8 black employees who work for the Respondent. It seems as though when a foreman sees two black employees talking together he will say something about them getting back to work. When two or three white employees are talking the foremen just walk right past without saying anything.

When I was working as a Die Cast Press Operator, I had to call a supervisor for relief when I had to use the rest room, had a problem or needed a break. Sometimes I had to wait for 20 minutes before a supervisor came by. I do not believe this happens to the white employees.

Over the years I have been employed by PHB, I have heard a lot of racial jokes. They are always around. I believe the last time I heard a racial joke was in the summer of 2003. I do not recall what it was about.

Up until I got the job as a hot metal man, Gary Gebhart was one of my supervisors. He always had something to say to me and the other black employees. He often would make comments to me under his breath, like "idiot." He is one person who I can tell is prejudiced against black employees by the way he acts towards us. Within the last year or two, a white employee who owned a camp told me that Gary made a derogatory comment about a black employee coming to visit him at his camp. It had something to do with shooting the white and the black employee if they came to visit him. In the past, I told Ron Sayers that Gary was prejudiced. He did nothing about it. After the EEOC started its investigation, Gary has been breaking his neck to be nice to the black employees.

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STATE OF Pennsylvania

CASE NAME Woodard V. PHB

CITY/COUNTY OF Erie/Erie

CHARGE NUMBER 172-2003-00954

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### AFFIDAVIT (cont.)

I have read and had an opportunity to correct this Affidavit consisting of 3 typed pages and swear that these facts are true and correct to the best of my knowledge and belief.

---

date/signature

# Exhibit 31

STATE OF Pennsylvania

CASE NAME Woodard V. PHB

CITY/COUNTY OF Erie

CHARGE NUMBER 172-2003-00954

## AFFIDAVIT

I, Glen Csombok, being first duly sworn upon my oath affirm and hereby say:

I have been given assurances by an Agent of the U.S. Equal Employment Opportunity Commission that this Affidavit will be considered confidential by the United States Government and will not be disclosed as long as the case remains open unless it becomes necessary for the Government to produce the affidavit in a formal proceeding. Upon the closing of this case, the Affidavit may be subject to disclosure in accordance with agency policy.

My gender is male, and my racial identity is white. I reside at 1035 W. 9th Street, City of Erie, State of Pennsylvania, Zip Code 16502.

I have been employed by the Respondent for 11 years. I work the first shift in the aluminum side of the plant. My supervisors are Rex Ryan and Ron Sayers. Gary Gebhart is also a supervisor who alternates on the first and second shift.

Gary Gebhart and I both have hunting camps in the same general area. Several years ago, when at work, I walked up to the place where Gary Gebhart was sitting. I told him that Ron Oliver and I were going up to my camp on the weekend and might stop up to see him. Present during this conversation were Tommy Thompson, foreman, and Mike Thor, who is in charge of punch presses and trim dies.

Ron Oliver is a good friend of mine who I met at work. Ron has been with the company about two or three years longer than me. Ron is also a Committee man for the union. He and I have been good friends for the entire time I have worked for the Respondent. We golf together, and see each other socially occasionally. Ron is a black employee. After I told Gary that I

DE OF PennsylvaniaCASE NAME Woodard V. PHBY/COUNTY OF Erie

CHARGE NUMBER 172-2003-00954

**AFFIDAVIT (cont.)**

ght stop by his camp with Ron, Gary told me not to bring that "fucker" to s camp because if I did we would not make it out of his driveway. He ntinued to say that he didn't want Ron at his camp and that he had no use r "them fuckers." I assumed that he was talking about black people. I believe this was an accurate assumption because Gary has made similar mments about black people in the past. This was just another indication : his attitude towards black people.

Mike Thor who was standing nearby was shocked by this and told me that could bring Ron down to his camp any time.

I told Ron Oliver about this comment. I did not share it with other lack employees or go to the office about this. I do not think it is fair or someone like Gary to have that attitude about someone like Ron or any lack employee. I have not received any anti-harassment or training about iscrimination from the company. I do not think that anyone at the plant as been given this type of training either. The area where the plant is ocated and where Gary Gebhart has his hunting camp is what I call a redneck" area. The people live out in the country and have little contact ith black people.

I have heard that other supervisors make similar comments about black mployees. For Example, Tommy Thompson has made several comments about the ork ethic of black employees, saying those "bastards" are all the same. He as also used the word "nigger" when talking about black employees. I have ot actually heard those comments but was told this by witnesses. It is a shame that a few employees have such a bad attitude about people who are ifferent. Those employees spoil the environment for everyone.

STATE OF Pennsylvania

CASE NAME Woodard V. PHB

CITY/COUNTY OF Erie

CHARGE NUMBER 172-2003-00954

### AFFIDAVIT (cont.)

I do not believe that assignments are given out on the basis of race, with black employees getting the more difficult jobs. I think the supervisors try to even things out among all of the employees. Ron Sayers and Rex Ryan have some say in the way assignments are made but do not have total control. The time keeper or dispatcher make most of the assignments. Sometimes a customer might have a rush job or request special attention to detail. In that case the supervisor might make an assignment based on who does the best work with that assignment.

I do not think having to write a letter when a part breaks is meant to be a punishment. It is an opportunity for an operator to explain what happened when something goes wrong. It is usually used when something breaks that is costly to repair.

I have read and had an opportunity to correct this Affidavit consisting of 3 typed pages and swear that these facts are true and correct to the best of my knowledge and belief.

---

date/Signature

# Exhibit 32

## Memo to the File

Re: Conversation with Greg Bible, Union President. Home phone 814-774-4079

date: 5/21/03

EEOC Charge NO.: 172A300954  
Woodard V. PHB Die Casting

This witness is the Union President. He has been the union president since 1990 or 1991. He has been employed by the Respondent for 25 years. His current title is Job Inspector A.

Witness was asked about various incidents in connection with the employment of Dayved Woodard and union intervention in those situations.

1. Witness was not aware of any complaint of a KKK sign and a burning cross drawn on the bathroom walls. Witness pointed out that some matters are resolved by the Union Steward and witness does not know about them. Witness noted that the main bathroom is regularly painted over by the maintenance department to cover graffiti. However, he noted that there is a bathroom near the cp's work station that does not receive so much attention. If the offensive graffiti was in that location, it is possible that it was not painted over for quite a while. Witness does not go into that bathroom very often. Witness did not see this graffiti or hear about it. He noted that even in the main bathroom there are periods where the maintenance department does not paint over the graffiti. He said there was something about the Pittsburgh Steelers for quite some time.
2. Cp has never actually filed a grievance with the Union. Cp has not hesitated to get the Union involved and has several meetings with supervisors and either witness or the shop Steward. It seems that things are resolved in those meetings so that grievances do not have to be filed. On numerous occasions cp has come to witness with complaints of one kind or another. Cp has not provided specifics at those times but just told witness that he was going to file a grievance. Witness then gives the cp a fact sheet to fill out and return. This is what is used when a grievance has been filed. Cp has never turned in a filled out fact sheet form as far as the witness recalls.
3. Witness noted that there have been a couple of meetings where the cp has complained about job assignments. Witness stated that this is a touchy subject with a lot of guys. It often comes up with female employees. He noted that some jobs are more difficult than others. Sometimes women are assigned jobs that they are simply not equipped to handle. Witness does not want to see any of the women hurt and has advocated giving women assignments that they are able to safely do. Witness states that many of the men both black and white complain about this.

Witness states that the Union has asked the company to rotate all of the employees around the machines so that they all get a chance at easier jobs. He said the lower numbered jobs

are not necessarily easier because they may have more stations or work faster. Witness was asked about the cp's example of a break down where Lou Barka was given a lower number machine to do after his machine was fixed and cp was given Barka's job. Witness stated that generally, a person returns to the job he was working on when a machine breaks but the supervisors sometimes rotate the employees for many different reasons.

4. Witness has told the company on many occasions that it has a problem with the treatment of minorities and female employees. Within the last few months he filed a grievance on behalf of all of the minorities and women employed by the Plant. He indicated that there was an environment where the women and black employees did not feel comfortable at work. This grievance is still pending.

He filed the grievance because there were situations where supervisors were making racial remarks and statements that were intimidating and the company was not taking any actions.

When asked for examples the witness provided the following examples:

- a) There was an incident where an employee was wearing a Budwiser frog shirt. A supervisor asked him why he was wearing that "nigger shit". This was said to a white person who was offended enough by it to complain to management. The company did nothing about it because it was not said to a black employee or in the presence of a black employee. The witness did not believe that the employee needed to be black to be offended.
- b) the most recent incident involved supervisor Gary Gebhart. He made a comment to Rob Tolhurst, race white, who was working as a metal man. Rob was helping black employee, Carrie Goodwine with Goodwine's job. Gebhart chastized Tolhurst for helping Goodwine and told Tolhurst that "We have to make it harder on them" (meaning black employees). Tolhurst told this to Goodwine. Goodwine complained to the Union Steward. The Union talked to the company but nothing was done since the comment was not made in the presence of Goodwine or other black employees.

Witness said there have been incidents in the past where he thought the company was going to get its butt sued but somehow managed to escape major repercussions for their actions.

5. Witness was asked about an incident which the cp said occurred in September/October 2002. Cp was required to write a letter because two drill taps broke. Witness stated that he and the other Union officials were shocked when the cp was asked to write this letter. He stated that the practice of writing letters after an incident began some years ago after witness intervened. Prior to his intervention, it had been company practice to give disciplinary write ups based solely on the supervisor's say so. Witness felt it unfair that the employees were not given the opportunity to provide their side of the story.

However, write ups are usually only called for when there is a major incident, such as a major break down or something that stops production for a long period of time. Witness stated that drills break all of the time. This is a very minor thing and easy to fix. There is very little down time required to get it fixed. Witness counseled the cp to write the letter and put in it whatever he wanted to do. Cp was asked to do this by supervisor, Rex Ryan. Cp wrote the letter and indicated that he felt this was a discriminatory action because of his race. Cp showed the letter to witness to see if witness felt he could do this. Witness counseled the cp that since he was requested to write his version of the incident, he saw no reason why the cp could not say what he believed.

Ryan was upset with the version of the letter that cp wrote and complained to witness that Ryan was not the one who made the cp write the letter. Ryan stated that his supervisor, Butch Smith, made him get the letter from Cp. According to Ryan this is how things were going to be done from this point forward. However, witness is not aware of anyone else having to write a letter for broken drills which reasonably occur with regularity.

6. Witness stated that the company is undergoing hard times in the current economy as are many businesses. At a recent "What's Happening" meeting, (these are supposed to occur quarterly but only happen when the company wants to have one) the CEO told the employees that Unionism is going to close the company. That gives and idea of the antagonism between the company and the employees to begin with.
7. Witness has sat in several meeting with the cp and Ron Sayers where cp has complained about his treatment by Ron and states that he believes it is because of cp's race. Ron counters by saying that if cp would do his job, Ron would not have to watch him so closely.
8. Witness is aware that the black employees feel that they are not allowed to "bull shit" (witness' words - meaning to socialize during work). He says that they feel they are yelled at more often than white employees who do the same thing. The meetings witness has attended with supervisors about this has not been conclusive. In many cases the black employees have to travel some distance from their work station to talk to their friends. The company expects all of its employees to stay at their stations during work hours. However, the black employees feel that this is a racial thing because they are the ones most often singled out for this.
9. Witness believes that there are about 10 or 12 black employees working for the Respondent. He will make the Union facilities available for the EEOC to use to talk to them. He will also research is notes to see what recent interventions he has done on the cp's behalf.

# Exhibit 33



**U.S. EQUAL EMPLOYMENT OPPORTUNITY COMMISSION  
Pittsburgh Area Office**

Liberty Center  
1001 Liberty Avenue, Suite 300  
Pittsburgh, PA 15222-4187  
(412) 644-3444  
TTY (412) 644-2720  
FAX (412) 644-2664

Mr. Davyed Woodard  
P.O. Box 771  
Erie, PA 16512

Charging Party,

CHARGE NO.172-2003-00954

PHB Die Casting  
7900 West Ridge Road  
Fairview, PA 16415-1899

Respondent

**DETERMINATION**

Under the authority vested in me by the Commission, I issue the following determination as to the merits of the above cited charge.

All requirements for coverage have been met. Charging Party alleged that Respondent discriminated against him because of his race black in violation of Title VII of the Civil Rights Act of 1964, as amended. The alleged discrimination took the form of blatant racial slurs being made by coworkers and supervisors; being subjected to graffiti in the rest room consisting of a KKK sign and a burning cross; being given more difficult assignments than similarly situated white employees; finding chewed up sunflower seeds in his gatorade; and finding his snacks smashed at his work station.

Respondent denies that coworkers or supervisors heard or made racially offensive remarks. Respondent also asserts that its janitor observed a KKK sign on the rest room walls a number of years ago. Respondent states that its janitor regularly paints over any kind of graffiti in the rest rooms and other locations of the plant. Respondent denied being told that Charging Party found chewed up sunflower seeds in his gatorade or smashed snacks at his work station. Respondent denies that the Charging Party receives less favorable assignments than his white coworkers.

On several occasions during his employment Charging Party complained about racially offensive comments made by supervisors and the manner in which he was assigned work, claiming he got all the difficult jobs. His complaints were made to his supervisors, Union representatives, the Human Resources Director and the Human Resources Employment and Training Supervisor. Other black employees made similar complaints.

The fact of such complaints is captured in numerous summaries of discussions prepared by Union officials and Company administrators. Some of the statements that the Charging Party complained about include the use of the words "nigger" and other derogatory comments such as "I don't associate with them kind" and "I don't watch football because it involves over paid *nigger* players." Records reveal that Charging Party had four meetings with Supervisor Ron Sayers, Union representatives, and Ben Hancock, Human Resources Manager in 2000 and 2001. Respondent investigated the complaints but did little or nothing to correct the situation. Respondent noted that it was concerned enough about one supervisor to schedule him for a diversity class at Edinboro University. However, the class was cancelled and the Supervisor did not have to attend any other training.

In interviews conducted by the EEOC, Respondent officials admitted that they investigated several complaints made by the Charging Party and other black employees. EEOC's Investigation established that derogatory comments about African Americans in general had been made by supervisors and coworkers. While all of the comments were not made directly to the Charging Party, the remarks reflect a definite bias against black people which created a hostile environment for the Charging Party.

Some incidents that Charging Party complained about which allegedly occurred within the relevant 300 day time frame include: having to write a letter after breaking minor machine parts in September 2002; problems with his sick and accident pay in March 2003; and being assigned the more difficult work constantly.

Investigation found witness corroboration that offensive racial graffiti in the form of a KKK and burning cross was written on the rest room walls. Investigation found witness corroboration that a supervisor made derogatory comments about black employees and black people in general. The comments were offensive to white and black employees and were brought to the attention of Respondent's administrators.

Based on this analysis, I have determined that the evidence obtained during the investigation establishes a violation of Title VII with respect to hostile environment.

Investigation did not establish a violation of Title VII with respect to the other issues cited by the Charging Party. Although, Charging Party frequently complained that he was given the more difficult assignments, the investigation did not corroborate this allegation. Many factors go into deciding how to assign work, including priorities and the availability of employees. Furthermore, each machine can run a variety of different jobs. Not all jobs on the same machine are considered difficult and not all people consider the same type of work to be difficult.

Investigation could not establish that the sunflower seeds and smashed snacks were the result of the Charging Party's race. The culprit was never found and Charging Party did not complain about this to the Respondent. Having to write a letter following a breakage or problem with the equipment is a recently instituted practice that allows the employee to provide his side of the story. Requiring the Charging Party to do this is not an indication of discrimination.

Upon finding that there is reason to believe that violations have occurred, the Commission attempts to eliminate the alleged unlawful practices by informal methods of conciliation. Therefore, the Commission now invites the parties to join with it in reaching a just resolution of this matter.

The confidentiality provisions of Title VII and Commission Regulations apply to information obtained during conciliation.

If the Respondent declines to discuss settlement or when, for any other reason, a settlement acceptable to the office Director is not obtained, the Director will inform the parties and advise them of the court enforcement alternatives available to aggrieved persons and the Commission.

A Commission representative will contact each party in the near future to begin conciliation.

The Commission is seeking an amount inclusive of the applicable cap to your organization for compensatory and punitive damages; appropriate lost wages and actual monetary costs incurred by the Charging Party. In this regard, a Commission representative will prepare and monitor an actual dollar amount to include accruing lost wages, if any, and attendant benefits, with interest to date; any appropriate attorney fees and costs which have accrued to date. Again, the Commission is postured to consider any reasonable offer during this period.

Respondent may contact investigator, Susan M. Kelly at 412-644-2921, if there are any questions or concerns about conciliation.

On Behalf of the Commission,

Suzanne M. Reiffen

Marie M. Tomasso  
District Director

Date

12/18/03

# Exhibit 34

Memo to the File

Re: Conversation with Greg Bible, Union President. Home phone 814-774-4079

date: 5/21/03

EEOC Charge NO.: 172A300954

Woodard V. PHB Die Casting

This witness is the Union President. He has been the union president since 1990 or 1991. He has been employed by the Respondent for 25 years. His current title is Job Inspector A.

Witness was asked about various incidents in connection with the employment of Dayved Woodard and union intervention in those situations.

1. Witness was not aware of any complaint of a KKK sign and a burning cross drawn on the bathroom walls. Witness pointed out that some matters are resolved by the Union Steward and witness does not know about them. Witness noted that the main bathroom is regularly painted over by the maintenance department to cover graffiti. However, he noted that there is a bathroom near the cp's work station that does not receive so much attention. If the offensive graffiti was in that location, it is possible that it was not painted over for quite a while. Witness does not go into that bathroom very often. Witness did not see this graffiti or hear about it. He noted that even in the main bathroom there are periods where the maintenance department does not paint over the graffiti. He said there was something about the Pittsburgh Steelers for quite some time.
2. Cp has never actually filed a grievance with the Union. Cp has not hesitated to get the Union involved and has several meetings with supervisors and either witness or the shop Steward. It seems that things are resolved in those meetings so that grievances do not have to be filed. On numerous occasions cp has come to witness with complaints of one kind or another. Cp has not provided specifics at those times but just told witness that he was going to file a grievance. Witness then gives the cp a fact sheet to fill out and return. This is what is used when a grievance has been filed. Cp has never turned in a filled out fact sheet form as far as the witness recalls.
3. Witness noted that there have been a couple of meetings where the cp has complained about job assignments. Witness stated that this is a touchy subject with a lot of guys. It often comes up with female employees. He noted that some jobs are more difficult than others. Sometimes women are assigned jobs that they are simply not equipped to handle. Witness does not want to see any of the women hurt and has advocated giving women assignments that they are able to safely do. Witness states that many of the men both black and white complain about this.

Witness states that the Union has asked the company to rotate all of the employees around the machines so that they all get a chance at easier jobs. He said the lower numbered jobs

are not necessarily easier because they may have more stations or work faster. Witness was asked about the cp's example of a break down where Lou Barka was given a lower number machine to do after his machine was fixed and cp was given Barka's job. Witness stated that generally, a person returns to the job he was working on when a machine breaks but the supervisors sometimes rotate the employees for many different reasons.

4. Witness has told the company on many occasions that it has a problem with the treatment of minorities and female employees. Within the last few months he filed a grievance on behalf of all of the minorities and women employed by the Plant. He indicated that there was an environment where the women and black employees did not feel comfortable at work. This grievance is still pending.

He filed the grievance because there were situations where supervisors were making racial remarks and statements that were intimidating and the company was not taking any actions.

When asked for examples the witness provided the following examples:

- a) There was an incident where an employee was wearing a Budwiser frog shirt. A supervisor asked him why he was wearing that "nigger shit". This was said to a white person who was offended enough by it to complain to management. The company did nothing about it because it was not said to a black employee or in the presence of a black employee. The witness did not believe that the employee needed to be black to be offended.
- b) the most recent incident involved supervisor Gary Gebhart. He made a comment to Rob Tolhurst, race white, who was working as a metal man. Rob was helping black employee, Carrie Goodwine with Goodwine's job. Gebhart chastized Tolhurst for helping Goodwine and told Tolhurst that "We have to make it harder on them" (meaning black employees). Tolhurst told this to Goodwine. Goodwine complained to the Union Steward. The Union talked to the company but nothing was done since the comment was not made in the presence of Goodwine or other black employees.

Witness said there have been incidents in the past where he thought the company was going to get its butt sued but somehow managed to escape major repercussions for their actions.

5. Witness was asked about an incident which the cp said occurred in September/October 2002. Cp was required to write a letter because two drill taps broke. Witness stated that he and the other Union officials were shocked when the cp was asked to write this letter. He stated that the practice of writing letters after an incident began some years ago after witness intervened. Prior to his intervention, it had been company practice to give disciplinary write ups based solely on the supervisor's say so. Witness felt it unfair that the employees were not given the opportunity to provide their side of the story.

However, write ups are usually only called for when there is a major incident, such as a major break down or something that stops production for a long period of time. Witness stated that drills break all of the time. This is a very minor thing and easy to fix. There is very little down time required to get it fixed. Witness counseled the cp to write the letter and put in it whatever he wanted to do. Cp was asked to do this by supervisor, Rex Ryan. Cp wrote the letter and indicated that he felt this was a discriminatory action because of his race. Cp showed the letter to witness to see if witness felt he could do this. Witness counseled the cp that since he was requested to write his version of the incident, he saw no reason why the cp could not say what he believed.

Ryan was upset with the version of the letter that cp wrote and complained to witness that Ryan was not the one who made the cp write the letter. Ryan stated that his supervisor, Butch Smith, made him get the letter from Cp. According to Ryan this is how things were going to be done from this point forward. However, witness is not aware of anyone else having to write a letter for broken drills which reasonably occur with regularity.

6. Witness stated that the company is undergoing hard times in the current economy as are many businesses. At a recent "What's Happening" meeting, (these are supposed to occur quarterly but only happen when the company wants to have one) the CEO told the employees that Unionism is going to close the company. That gives an idea of the antagonism between the company and the employees to begin with.
7. Witness has sat in several meetings with the cp and Ron Sayers where cp has complained about his treatment by Ron and states that he believes it is because of cp's race. Ron counters by saying that if cp would do his job, Ron would not have to watch him so closely.
8. Witness is aware that the black employees feel that they are not allowed to "bull shit" (witness' words - meaning to socialize during work). He says that they feel they are yelled at more often than white employees who do the same thing. The meetings witness has attended with supervisors about this has not been conclusive. In many cases the black employees have to travel some distance from their work station to talk to their friends. The company expects all of its employees to stay at their stations during work hours. However, the black employees feel that this is a racial thing because they are the ones most often singled out for this.
9. Witness believes that there are about 10 or 12 black employees working for the Respondent. He will make the Union facilities available for the EEOC to use to talk to them. He will also research notes to see what recent interventions he has done on the cp's behalf.

# Exhibit 35

## Incorporated as part of Exhibit 39

# Exhibit 36

This form is affected by the Privacy Act of 1974; See Privacy Act Statement before completing this form.

AGENCY  
 FEPA  
 EEOC  
 172-A 00405

State or local Agency, if any \_\_\_\_\_ and EEOC

NAME (Indicate Mr., Ms., Mrs.)  Mr. Frederick E. Jackson		HOME TELEPHONE (Include Area Code)  (814) 452-6163	
STREET ADDRESS  1011 Abbey Lane, Apt. #12, Erie, PA 16502		CITY, STATE AND ZIP CODE  DATE OF BIRTH  07/07/1956	
NAMED IS THE EMPLOYER, LABOR ORGANIZATION, EMPLOYMENT AGENCY APPRENTICESHIP COMMITTEE, STATE OR LOCAL GOVERNMENT AGENCY WHO DISCRIMINATED AGAINST ME (If more than one list below.)			
NAME  PHB Die Casting	NUMBER OF EMPLOYEES, MEMBERS  Cat C (201-500)	TELEPHONE (Include Area Code)  (814) 474-5511	
STREET ADDRESS  7900 W. Ridge Road, Fairview, PA 16415	CITY, STATE AND ZIP CODE	COUNTY  049	
NAME		TELEPHONE NUMBER (Include Area Code)	
STREET ADDRESS		CITY, STATE AND ZIP CODE	
CITY, STATE AND ZIP CODE		COUNTY	
CAUSE OF DISCRIMINATION BASED ON (Check appropriate box(es))			
<input checked="" type="checkbox"/> RACE <input type="checkbox"/> COLOR <input type="checkbox"/> SEX <input type="checkbox"/> RELIGION <input type="checkbox"/> NATIONAL ORIGIN <input type="checkbox"/> RETALIATION <input type="checkbox"/> AGE <input checked="" type="checkbox"/> DISABILITY <input type="checkbox"/> OTHER (Specify)		DATE DISCRIMINATION TOOK PLACE EARLIEST      LATEST 12/04/1999      03/19/1999 <input type="checkbox"/> CONTINUING ACTION	

THE PARTICULARS ARE (If additional space is needed, attach extra sheet(s)).

- I have been employed with the Respondent since February 2, 1990, and most recently as Die Casting Production Operator. On December 4, 1998, I was suspended without pay and reinstated February 16, 1999. On March 19, 1999, I was discharged from my position.
- Elaine Shaffer, Human Resources Representative, informed me that I was suspended for sleeping on the job. In a letter from Ben Hancock, Human Resources Manager, I was informed that I was terminated for threatening my supervisor.

3. I believe that the respondent discriminated against me because of my race, black, in violation of Title VII of the Civil Rights Act of 1964 as amended, (Title VII) and my disability, in violation of the Americans with Disabilities Act of 1990 in that similarly situated white employees have been caught sleeping on the job and were either disciplined less harshly and/or not at all. The Respondent was aware of my disability. I did not threaten the foreman and there were no witnesses to the alleged incident. Shortly after I returned to work from my suspension, I was asked to go to another shift which I declined. Mike Little, a Caucasian employee, threatened two co-workers and was not terminated. Mike has also violated other company rules comparable in seriousness to that for which I was discharged and he was disciplined less harshly and/or not at all.

<input type="checkbox"/> I want this charge filed with both the EEOC and the State or local Agency, if any. I will advise the agencies if I change my address or telephone number and cooperate fully with them in the processing of my charge in accordance with their procedures.	NOTARY - (When necessary for State and Local Requirements)
I declare under penalty of perjury that the foregoing is true and correct.	I swear or affirm that I have read the above charge and that it is true to the best of my knowledge, information and belief.
11-15-00      Frederick E. Jackson Charging Party (Signature)	SIGNATURE OF COMPLAINANT  Frederick E. Jackson SUBSCRIBED AND SWORN TO BEFORE ME THIS DATE (Month, day and year)

# Exhibit 37

IN-32

COUNTY OF ERIE

ERIE COUNTY HUMAN RELATIONS COMMISSION

COMPLAINT

COMPLAINANT:

**Frederick Jackson**

vs.

RESPONDENT:

**PHB, Incorporated**

Docket No. 01049-WD-75

1. The complainant herein is:

Name: Frederick Jackson

Address: 1011 Abbey Lane Apt 12; Erie, PA 16502

Name: \_\_\_\_\_

Address: \_\_\_\_\_

2. The respondent herein is:

Name: PHB, Incorporated

Address: 7900 West Ridge Road; Fairview, PA 16415

Name: \_\_\_\_\_

Address: \_\_\_\_\_

IN-32

(page 2)

3. I allege the Respondent PHB, Incorporated violated section 5 of the Pennsylvania Human Relations Act as follows:

- A.) On December 4, 1998 I suffered a diabetic seizure and because of my race, I was taunted, harassed, accused of sleeping and subsequently suspended from work until February 15, 1999.
1. On December 4, foreman Gary Hardick, Pat Widler, and Tom Burger found me unconscious in a diabetic coma.
  2. Gary Hardick, instead of getting help, summoned the union steward and told him to wake me up.
  3. The next day I was suspended from work because Gary Hardick reported that I had been found asleep.
  4. I was reinstated on February 15, 1999 and required to sign strict, unequaled terms and conditions of employment.
  5. Gary Hardick openly stated his preference that I should not be allowed to return to work on 2-15-99.
- B.) After my return to work, Hardick began harassing me almost daily with racially motivated false accusations and statements.
1. Between February 15 and March 13, 1999 I was harassed and accused by Hardick on at least four (4) different occasions.
  2. Accused of horse playing (shooting rubber bands), others committing same act were not charged.
  3. Called in for wearing my coat, (prepared to punch out too soon), when I had worn my coat the entire shift.
  4. Accused of insubordination (refusing to clean work area). No other employee was cited for any such thing.
  5. Falsely accused of not following instructions, (sweeping floor when not busy). Others were not required as they were allowed to stand around and do nothing.

(page 2a)

6. Gary Hardick made racist statements to me such as, the reason Blacks don't have jobs, they don't do anything. When I was a boy, we called black jelly beans nigger babies. The United States is at war to fight sand niggers.
  7. PHB allows graffiti and derogatory racist slurs to remain written on restrooms walls for indefinite periods. There are no known rules governing this kind of employee behavior.
  8. Gary Hardick often hid behind machines and watched me performing my job, this was not done to White workers.
- C.) Bob Strattazer, shop foreman, advised me to move to another shift because Gary was out to get me.
1. I told Mr. Strattazer that my family did not own but one vehicle and since I had done nothing wrong, Gary was not going to force me off my shift.
- D.) On March 19, 1999 I was terminated for threatening Gary Hardick, my foreman.
1. Gary Hardick accused me of verbally threatening him on a night when I had absolutely no verbal exchange with him.
  2. I was surrounded by witnesses all night, no one observed or overheard any verbal exchange with him.
  3. I was falsely accused and discharged because of my race.
- E.) PHB terminated me because of my race and retained two White employees who were accused of the same behavior.
1. Mike Little was accused of threatening Mike Campbell, October - November 1998, neither were disciplined. Several witnesses will vouch for me that between December 1998 and March 1999, Gary Hardick mocked me because of my disability, diabetes, harassed me constantly and terminated my employment on lies because of my race, Black.

IN-32

(page 3)

4. The allegations in paragraph 3 here of constitute(s) an unlawful discriminatory practice or unlawful practice and is in violation of:

Pennsylvania Human Relations Act (Act of October 27, 1955, P.L. 744, as amended)  
Section 5 Subsection(s) \_\_\_\_\_

Erie County Human Relations Commission Ordinance Number 80, 1993, Section -

---

Section 5.1 Subsection(s) \_\_\_\_\_

Section 5.2 Subsection(s) \_\_\_\_\_

Pennsylvania Fair Educational Opportunities Act (Act of July 17, 1961, P.L. 766 as amended). Section 4 Subsection(s) \_\_\_\_\_

---

5. The complainant(s) allege(s) that the alleged unlawful discriminatory practice(s):

Is/are of a continuing nature which has/have persisted up to and including the present time.

6. No other action based on the aforesaid allegations has been instituted by the complainant in any court or before any other commission within the Commonwealth of Pennsylvania except as follows:

None

This charge will be filed with the PA real Estate Commission  
under the PA Licensing and Registration Act Section 604.

This charge will be referred to EEOC for the purpose of dual  
filing.

This charge will be referred to HUD for the purpose of dual  
filing.

7. The complainant(s) pray that the respondent(s) be required to:

(a) Make the complainant(s) whole, including but not limited to an award of back pay, hiring, reinstatement, upgrading and restoration of job benefits; or to provide housing sought or the loan sought in connection with housing.

(b) Eliminate all unlawful discriminatory practice(s) and procedure(s).

(c) Remedy the discriminatory effect of past practice(s) and procedure(s).

(d) Take further affirmative action necessary and appropriate to remedy the violation complained of herein.

(e) Provide such further relief as the Commission deems necessary and appropriate.

IN-32

(page 4)

I hereby verify that the statements contained in this complaint are true and correct to the best of my knowledge, information, and belief. I understand that false statements herein are made subject to the penalties of 18 PA. C.S. Section 4904, relating to unsworn falsification to authorities.

4/30/99  
(Date Signed)

452-6163  
(Telephone Number)

Fredrick S. Jackson  
(Signature)

1011 Abbey Lane apt 12  
(Address)

Erie, PA. 16502  
(City, State and Zip Code)

I hereby certify that I have this day served the foregoing document upon all parties of record in this proceeding in accordance with the requirements of 1 Pa. Code 33.31 (relating to service by an agency).

Dated at this 30<sup>th</sup> day of April, 1999

Dondra L. Deidre  
(Signature)

# Exhibit 38



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Anderson, Thomas F	Harassment Policy	10-30-2003
Andrews, David A	Sexual Harassment In The Workplace	06-08-1999
Arkley, John P	Harassment Policy	12-29-2003
Buchholz, Paul C	General-Harassment Policy	08-04-2004
Campbell, Matthew P	Harassment Policy	10-29-2003
Dahlkemper, Thomas E	Sexual Harassment In The Workplace	06-03-1999
Dietrich, Danielle	General-Harassment Policy	10-04-2004
Estok, Andrew F	Sexual Harassment In The Workplace	06-02-1999
Finney, Douglas H	General-Harassment Policy	07-12-2004
Fulcom, Eric L	Harassment Policy	10-29-2003
Gebhardt, Gary C	Harassment Policy	10-29-2003
Godfrey, David L	Sexual Harassment In The Workplace	06-03-1999
Gregory, Gerald R	Harassment Policy	10-29-2003
Grizanti, Vincent C	General-Harassment Policy	10-30-2003
Guattieri, Michael G	General-Harassment Policy	08-20-2004
Hanisek, Keith D	Harassment Policy	06-21-2004
Hodgson, John C	Sexual Harassment In The Workplace	10-30-2003
Hosack, John C	Harassment Policy	06-08-1999
Imboden, Michelle A	Harassment Policy	10-29-2003
Jarrett, Gordon L	Harassment Policy	01-26-2004
Krzewinski, Kevin R	General-Harassment Policy	10-30-2003
Long, William J	Sexual Harassment In The Workplace	08-10-2004
MAHER , MATTHEW M	Sexual Harassment In The Workplace	06-02-1999
Meeker, Garold H	Harassment Policy	06-03-1999
MERRITT , CHARLES E	Sexual Harassment In The Workplace	10-30-2003
MOOK , RUSSEL A	Harassment Policy	06-03-1999
Mooney, Dennis C	Harassment Policy	10-30-2003
NEARHOOF , TERRY L	Sexual Harassment In The Workplace	06-03-1999
Pace, William G	General-Harassment Policy	06-28-2004
Peyton, Charles L	General-Harassment Policy	07-16-2004
Plyler, Brian S	General-Harassment Policy	01-26-2004
Pretz, Michael R	Harassment Policy	10-30-2003
Riu, Stephen M	Sexual Harassment In The Workplace	06-03-1999
Shaffer, Donald H	General-Harassment Policy	11-24-2003
Smock, Laura A	Harassment Policy	10-29-2003
Thayer, Terry M	Sexual Harassment In The Workplace	06-03-1999
Thompson, Dennis G	General-Harassment Policy	05-24-2004
Waddell, John W	Harassment Policy	10-30-2003
Waller, William L	Sexual Harassment In The Workplace	06-03-1999
Yorko, Kenneth A	Harassment Policy	12-29-2003
Zaunegger, Michael A	General-Harassment Policy	12-29-2003
Count		06-24-2004
44		
Grand Count		
44		



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Adams, Nancy	General-Harassment Policy	06-28-2004
Adolphson, John S	General-Harassment Policy	09-09-2004
Ahenger, Robert	General-Harassment Policy	02-23-2004
Aleksiewicz, Ronald J	Sexual Harassment In The Workplace	06-08-1999
Al-Isa, Ali	General-Harassment Policy	10-04-2004
Alloway, Keith J	General-Harassment Policy	01-31-2005
Anderson, Charles W	Sexual Harassment In The Workplace	06-08-1999
Anderson, Thomas F	Harassment Policy	10-30-2003
Andrews, Rachel J	General-Harassment Policy	07-30-2004
Angerer, Patrick W	Harassment Policy	10-29-2003
Antolik, Shelly M	Harassment Policy	10-29-2003
Atkinson, Steven A	Sexual Harassment In The Workplace	06-02-1999
Bahny, Pamela A	General-Harassment Policy	11-11-2004
Bahny, Stephen R	Harassment Policy	10-30-2003
Bahny, Stephen R	Sexual Harassment In The Workplace	06-02-1999
Baker, Richard H	Harassment Policy	10-30-2003
Banks, George J	Harassment Policy	10-29-2003
Barko, Louis G	Harassment Policy	10-29-2003
Barko, Robert S	Sexual Harassment In The Workplace	06-02-1999
Bartlett, Craig R	Harassment Policy	10-29-2003
Barton, Rodney L	Harassment Policy	10-29-2003
Barton, Toni M	Sexual Harassment In The Workplace	06-03-1999
Bartosek, Richard A	Harassment Policy	10-30-2003
Bateman, Douglas K	Sexual Harassment In The Workplace	06-03-1999
Bateman, Thomas E	Harassment Policy	10-29-2003
Beiter, Russell R	General-Harassment Policy	03-17-2004
Belfiore, Daniel L	Harassment Policy	04-25-2004
Bell, Jack T	General-Harassment Policy	08-30-2004
Bernard, Catherine A	Harassment Policy	10-08-2004
Bernardini, Frances -	Harassment Policy	10-30-2003
Bernatowicz, Owen W	General-Harassment Policy	03-15-2004
Berry, Rodney W	Harassment Policy	10-30-2003
Bible, Gregory A	General-Harassment Policy	10-29-2003
Biebel, Robert B	Sexual Harassment In The Workplace	06-08-1999
Biggie, Lawrence J	General-Harassment Policy	07-26-2004
Biggie, Lawrence J	Harassment Policy	10-30-2003
Bish, Joseph L	Sexual Harassment In The Workplace	06-02-1999
Bishop, Randall K	General-Harassment Policy	09-09-2004
Blass, Frederick A	General-Harassment Policy	09-13-2004
Bliche, Amy K	Harassment Policy	10-30-2003
Bloom, John C	Harassment Policy	03-29-2004
Bond, Clifford L	General-Harassment Policy	12-29-2003
Bova, John M	Harassment Policy	10-29-2003
Bowen, Richard T	General-Harassment Policy	06-21-2004
Brandon, James R	Harassment Policy	10-30-2003
Braswell, Bobby C	Sexual Harassment In The Workplace	10-29-2003
Brockett, Linda M	General-Harassment Policy	06-02-1999
Buhl, Richard W	General-Harassment Policy	07-26-2004
Bushyager, David A	General-Harassment Policy	03-08-2004
Butch, James L	Harassment Policy	08-30-2004
Butch, James L	General-Harassment Policy	10-30-2003
Butch, James L	Harassment Policy	10-29-2003



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Butch, James L	Sexual Harassment In The Workplace	06-08-1999
Butler, Ronald E	Harassment Policy	10-29-2003
Byers, Christopher G	Harassment Policy	10-30-2003
Calladine, David C	Harassment Policy	10-29-2003
Camp, Patrick R	Harassment Policy	10-29-2003
Campbell, Kathleen M	Harassment Policy	10-30-2003
Campbell, Michael J	Harassment Policy	10-29-2003
Carroll, Matthew	General-Harassment Policy	01-26-2004
Casbohm, Eric J	General-Harassment Policy	06-10-2004
Chaffee, Donald J	General-Harassment Policy	05-20-2004
Cherry, William L	Harassment Policy	10-29-2003
Clark, Alan R	Harassment Policy	10-30-2003
Clinger, John C	Sexual Harassment In The Workplace	12-10-1991
Colonna, Michael F	General-Harassment Policy	10-29-2003
Comstock, Joseph A	Harassment Policy	10-29-2003
Cornell, Mark W	Sexual Harassment In The Workplace	06-03-1999
Cronin, Michael S	Harassment Policy	10-30-2003
Crosby, Tobren C	Harassment Policy	10-30-2003
Dana, Robert L	Harassment Policy	10-30-2003
Daniels, Todd R	Harassment Policy	10-30-2003
Darr, William R	Harassment Policy	10-30-2003
Deas, Jennifer L	Sexual Harassment In The Workplace	06-03-1999
Delavern, William R.	General-Harassment Policy	08-30-2004
Dersch, Lloyd S	General-Harassment Policy	01-12-2004
Dhumeen, Hamid D	Harassment Policy	10-29-2003
Dibble, Karen A	General-Harassment Policy	12-29-2003
Dick, William	Harassment Policy	10-30-2003
Diehl, William M	General-Harassment Policy	10-18-2004
Difilippo, Michael A	Harassment Policy	10-29-2003
Digello, David A	General-Harassment Policy	09-14-2004
Dinicola, David J	Harassment Policy	10-30-2003
Divido, Michael	General-Harassment Policy	10-30-2003
Dombrowski, Nancy J	Harassment Policy	07-26-2004
Donnell, Trevor A	General-Harassment Policy	05-03-2004
Donnell, William C	Harassment Policy	10-30-2003
Dority, Charles A	Sexual Harassment In The Workplace	10-29-2003
Drury, Michael J	Harassment Policy	03-17-2004
Dudzinski, Michael J	General-Harassment Policy	12-29-2003
Dunn, David G	General-Harassment Policy	10-30-2003
Ebisch, Thomas R.	Harassment Policy	01-12-2004
Edmiston, Ross N	General-Harassment Policy	10-31-2003
Edwards, Kyle A	General-Harassment Policy	11-09-2004
Egli, Frank J	Harassment Policy	03-24-2004
Elder, Edith F.	General-Harassment Policy	10-29-2003
Elder, Ray D	Harassment Policy	10-29-2003
Elliott, Misty M	Sexual Harassment In The Workplace	10-29-2003
Ely, Leonard L	General-Harassment Policy	06-03-1999
Ely, Lysle A	Harassment Policy	10-29-2003
English, Jeffrey A	Sexual Harassment In The Workplace	10-29-2003
	Harassment Policy	10-29-2003



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Erickson, Douglas J	General-Harassment Policy	10-04-2004
Fahey, Warren T	Harassment Policy	10-30-2003
Farley, Lee N	Harassment Policy	10-29-2003
Fellows, Jesse D	Sexual Harassment In The Workplace	06-03-1999
Fellows, Justin	General-Harassment Policy	03-01-2004
Fellows, Richard D	Harassment Policy	10-29-2003
Ferguson, Dorothy G	Harassment Policy	10-30-2003
Ferrara, Tony P	Harassment Policy	10-30-2003
Fetterolf, Russell L	Sexual Harassment In The Workplace	06-03-1999
Field, James A	Sexual Harassment In The Workplace	06-03-1999
Field, Kelly J	Harassment Policy	10-29-2003
Figurski, John J	Harassment Policy	10-30-2003
Fiolek, Kyle D	Sexual Harassment In The Workplace	06-02-1999
Fiolek, Paul M	General-Harassment Policy	10-29-2003
Fish, Michelle	Harassment Policy	10-29-2003
Forinash, Laurie K	General-Harassment Policy	11-15-2004
Fortney, Eric W.	Harassment Policy	10-29-2003
Fullom, Eric L	General-Harassment Policy	01-12-2004
Gant, Frank W	Harassment Policy	10-30-2003
Gariepy, Kenneth P	General-Harassment Policy	07-06-2004
Gehrlein, Donald E	General-Harassment Policy	06-28-2004
Giaimo, Ruth Ann	General-Harassment Policy	01-03-2005
Giddings, Howard R	Harassment Policy	10-29-2003
Glavasevic, Kemo	General-Harassment Policy	03-22-2004
Godfrey, David L	Harassment Policy	10-29-2003
Gordon, Timothy J	Harassment Policy	10-30-2003
Gorecki, Edward J	General-Harassment Policy	07-06-2004
Gorny, David F	General-Harassment Policy	10-30-2003
Graden, Robert A	Harassment Policy	10-29-2003
Graff, Jacqueline	Sexual Harassment In The Workplace	06-02-1999
Graff, Ronald G	Harassment Policy	10-30-2003
Graves, Bruce E	Harassment Policy	03-17-2004
Gregory, Gerald R	Harassment Policy	10-30-2003
Gresh, Edward J	Harassment Policy	10-29-2003
Guianen, Ronald C	General-Harassment Policy	09-07-2004
Haffley, Aaron D	Sexual Harassment In The Workplace	06-08-1999
Hagmaier, David J	Harassment Policy	10-30-2003
Haibach, Harold P	Sexual Harassment In The Workplace	06-08-1999
Hale, Anthony	General-Harassment Policy	12-15-2004
Hall, Ernest H	Harassment Policy	10-30-2003
Hall, John F	Sexual Harassment In The Workplace	06-03-1999
Hancock, James B	General-Harassment Policy	10-30-2003
Hanisek, Eileen M	Sexual Harassment In The Workplace	04-09-1999
Hanson, Dale	General-Harassment Policy	12-10-1991
Hardik, Gary P	Sexual Harassment In The Workplace	07-06-2004
Harvey, Douglas A	Harassment Policy	06-02-1999
Hayes, Shawn E	Harassment Policy	10-29-2003
Heffren, Lawrence R	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-03-1999



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Heffren, Mark A	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-03-1999
Heinonen, Daniel	General-Harassment Policy	12-13-2004
Henderson, David C	Harassment Policy	10-30-2003
Herrmann, Howard J	General-Harassment Policy	10-01-2004
Hilbert, William M	General-Harassment Policy	10-29-2003
Holden, Mark T	Harassment Policy	10-29-2003
Homan, Jay	General-Harassment Policy	12-15-2004
Hopkins, Roger L	Harassment Policy	10-29-2003
Horvath, John Z	Harassment Policy	11-12-2003
Hosack, John C	Harassment Policy	10-29-2003
Hough, Robert A	General-Harassment Policy	06-08-2004
Hudacky, Kirk T	General-Harassment Policy	09-13-2004
Huston, David H	General-Harassment Policy	08-17-2004
Iacobozzi, John T	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-02-1999
Janoski, Andrew J	Harassment Policy	10-29-2003
Johnson, Paul W	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-08-1999
Johnson, Shawn W	Harassment Policy	10-30-2003
Joslin, Donna H	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Keiper, Robert H	Sexual Harassment In The Workplace	06-08-1999
Kelley, Thomas E	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-02-1999
Kerner, Frederick A	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Ketcham, Daniel L	General-Harassment Policy	09-24-2004
Kibbe, Michael J	General-Harassment Policy	06-10-2004
Kidder, Gary C	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
King, Dale E	General-Harassment Policy	05-04-2004
King, George H	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-03-1999
King, J Keith	Harassment Policy	10-30-2003
Kinnear, Stephen T	Harassment Policy	10-29-2003
Klein, Kenneth C	Harassment Policy	04-02-2004
Kleshchevnikov, Andrey I	Harassment Policy	03-18-2004
Klobusnik, Michael	General-Harassment Policy	05-13-2004
Knapp, Alan L	Harassment Policy	10-30-2003
Komaromy, Robert V	Harassment Policy	10-30-2003
Korynoski, John L	Harassment Policy	05-01-2004
Krayeski, James A	Harassment Policy	10-29-2003
Krysiak, John J	General-Harassment Policy	11-01-2004
Kuhn, Daniel E	Harassment Policy	04-02-2004
Kupniewski, Kevin J	General-Harassment Policy	11-29-2004
Kuzma, Patricia L	Harassment Policy	10-30-2003
Kuzma, Timothy A	Harassment Policy	10-30-2003
Kuzmin, David M	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Laguardia, Karen M	Harassment Policy	10-30-2003
Landis, Gerald W	General-Harassment Policy	06-25-2004
Langer, Daniel J	Harassment Policy	10-30-2003
Laprice, Richard J	Harassment Policy	10-30-2003
Lavery, Terry E	Harassment Policy	10-30-2003



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Layton, Brian	General-Harassment Policy	12-29-2003
Lemmon, Laura A	Harassment Policy	10-29-2003
Lewis, Jay D	Harassment Policy	10-29-2003
Lewis, Ronnie L	Sexual Harassment In The Workplace	06-08-1999
Licsko, Christine H	General-Harassment Policy	08-13-2004
Linsley, Peter C	Harassment Policy	10-30-2003
List, John C	Sexual Harassment In The Workplace	06-02-1999
Little, Daniel W	Harassment Policy	10-29-2003
Little, William J	Sexual Harassment In The Workplace	10-29-2003
Lobaugh, Ricky D	Harassment Policy	10-30-2003
Lopez, James A	Harassment Policy	10-30-2003
Lowe, Christopher G	Sexual Harassment In The Workplace	06-03-1999
Lunger, Kenneth L	Harassment Policy	10-30-2003
Lynch, James T	Sexual Harassment In The Workplace	06-08-1999
MacHinski, Scot A	Harassment Policy	10-29-2003
MacKes, Lee A	Sexual Harassment In The Workplace	06-02-1999
Maisner, Michael F	General-Harassment Policy	07-06-2004
Mando, Gregory A	General-Harassment Policy	06-21-2004
Marrale, David A	Harassment Policy	12-15-2003
Marzka, Richard A	Harassment Policy	10-29-2003
Mayes, Elmer Z	Sexual Harassment In The Workplace	06-02-1999
Mayes, Joseph J	Harassment Policy	10-30-2003
McCormick, Peter G	Harassment Policy	10-30-2003
McGaughey, J Michael	General-Harassment Policy	08-31-2004
McGee, John J	Harassment Policy	10-29-2003
McGuire, Erwin W	Harassment Policy	10-29-2003
McInchak, Michael S	Sexual Harassment In The Workplace	06-03-1999
McLaughlin, Gregory J	General-Harassment Policy	10-29-2003
Miller, Harry N	Sexual Harassment In The Workplace	06-03-1999
Mitchell, Roger Perry	General-Harassment Policy	05-12-2004
Mohr, Larry C	General-Harassment Policy	10-01-2004
Mooney, Christopher J	Harassment Policy	10-29-2003
Mooney, Leroy C	Harassment Policy	10-30-2003
Mundkowsky, William E	Sexual Harassment In The Workplace	06-03-1999
Myers, Alan G	Harassment Policy	10-29-2003
Nickerson, Alton W	General-Harassment Policy	10-29-2003
Nine, Mark S	Harassment Policy	10-29-2003
Norton, Mark T	Sexual Harassment In The Workplace	06-03-1999
Olinger, Robert C	Harassment Policy	10-30-2003
Oliver, Clarence G	Sexual Harassment In The Workplace	06-08-1999
Olmstead, Michael A	Harassment Policy	10-29-2003
Pacansky, Michael G	Harassment Policy	10-29-2003
		10-30-2003



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Pace, William G	General-Harassment Policy	06-28-2004
Paris, Geraldine L	General-Harassment Policy	10-15-2003
Parker, Charles W	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-02-1999
Parker, Jeffrey C	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Parker, Jonas A	Harassment Policy	10-29-2003
Parrish, David L	Sexual Harassment In The Workplace	12-10-1991
Perez, Jesus V	Harassment Policy	10-29-2003
Phelps, Patrick A	General-Harassment Policy	12-29-2003
Phillips, Wayne G	Sexual Harassment In The Workplace	06-02-1999
Phillis, Jean M	Harassment Policy	10-29-2003
Pietrasiewicz, Shannon R	General-Harassment Policy	09-01-2004
Pintea, Larie R	Harassment Policy	10-30-2003
Pointer, Richard	General-Harassment Policy	11-05-2004
Polanski, Frank R	Harassment Policy	10-30-2003
Pollick, Frank W	Harassment Policy	10-30-2003
Porsch, Gary C	Harassment Policy	10-29-2003
Porter, Clyde W	Harassment Policy	10-29-2003
Porter, Lynn A	Harassment Policy	10-29-2003
Powell, Robert C	Harassment Policy	10-30-2003
Prichard, John H	Harassment Policy	04-02-2004
Ratajczak, James J	General-Harassment Policy	03-17-2004
Reinwald, James	Harassment Policy	10-30-2003
Rocco, David J	Harassment Policy	10-30-2003
Rodgers, David E	Harassment Policy	10-30-2003
Roemer, John G	Harassment Policy	10-30-2003
Rorabaugh, Cecil L	Harassment Policy	10-30-2003
Rose, Kevin R	Harassment Policy	03-17-2004
Roueche, James M	General-Harassment Policy	06-10-2004
Russin, Scott J	Sexual Harassment In The Workplace	06-08-1999
Ryan, Rex A	Sexual Harassment In The Workplace	06-03-1999
Ryan, Timothy M	Harassment Policy	10-29-2003
Sabol, Carl A	General-Harassment Policy	07-27-2004
Sabol, Diann J	Harassment Policy	10-30-2003
Sanchez, Javier -	Harassment Policy	10-29-2003
Sargent, Daniel F	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-03-1999
Sayers, Ronald R	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-08-1999
Schermer, William C	Harassment Policy	10-30-2003
Scott, James J	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Scott, Patricia G	Harassment Policy	10-30-2003
Seyler, Paul R	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-03-1999
Shallenbarger, Edward J	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-03-1999
Sharp, Ronald B	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-03-1999
Shearer, Timothy C	General-Harassment Policy	08-24-2004
Sheriff, Grant E	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Shields, Jamal A	Harassment Policy	10-29-2003
Silbaugh, James D	General-Harassment Policy	05-25-2004



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Silvis, Jesse M	General-Harassment Policy	06-21-2004
Smith, Charlene C	Harassment Policy	10-30-2003
Smith, Charles W	Harassment Policy	10-30-2003
Smith, Dennis D	Sexual Harassment In The Workplace	06-08-1999
Smith, Jay A	General-Harassment Policy	11-18-2004
Smith, Jeffrey B	Harassment Policy	10-29-2003
Smith, Loren A	Sexual Harassment In The Workplace	06-08-1999
Smith, Richard A	General-Harassment Policy	07-06-2004
Smith, Robert L	Harassment Policy	10-30-2003
Soudan, Bradley A	Sexual Harassment In The Workplace	10-30-2003
Spaulding, Mark D	General-Harassment Policy	11-17-2003
Spencer, William M	Harassment Policy	07-15-2004
Spinks, William C	General-Harassment Policy	10-29-2003
Stafford, David G	Harassment Policy	10-30-2003
Stellmach, Bruce A	Sexual Harassment In The Workplace	10-29-2003
Stellmach, Duane A	General-Harassment Policy	10-30-2003
Stellmach, Judith A	Harassment Policy	10-29-2003
Stiles, Charles	Sexual Harassment In The Workplace	10-29-2003
Strader, Randy L	General-Harassment Policy	10-29-2003
Straw, Gregory L	Harassment Policy	10-30-2003
Strazisar, David E	Sexual Harassment In The Workplace	10-29-2003
Strazisar, Robert F	General-Harassment Policy	06-02-1999
Surdy, Karen L	Harassment Policy	10-29-2003
Sutter, Melissa S	Sexual Harassment In The Workplace	02-02-2004
Swaney, James K	General-Harassment Policy	10-30-2003
Szczutkowski, Ernest John	Harassment Policy	10-30-2003
Szymanski, Pamela L	Sexual Harassment In The Workplace	11-30-2004
Tagle, Alfonso C	General-Harassment Policy	10-29-2003
Taylor, Lisa A	Harassment Policy	10-29-2003
Taylor, Richard L	Sexual Harassment In The Workplace	10-29-2003
Taylor, Richard M	General-Harassment Policy	03-24-2004
Thompson, Charles A	Harassment Policy	10-30-2003
Thompson, Thomas R	Sexual Harassment In The Workplace	06-02-1999
Thornton, Theron	General-Harassment Policy	06-03-1999
Thorr, Michael W	Harassment Policy	10-30-2003
Throop, Terry L	Sexual Harassment In The Workplace	10-30-2003
Tobolewski, Mark D	General-Harassment Policy	06-08-1999
Todd, Russell C	Harassment Policy	10-30-2003
Tothurst, Harland R	Sexual Harassment In The Workplace	10-30-2003
Tomlinson, Bradley T	General-Harassment Policy	06-02-1999
Turner, Ralph E	Harassment Policy	10-30-2003
Unger, James W	Sexual Harassment In The Workplace	10-29-2003
Uzelac, Christopher Sava	General-Harassment Policy	06-08-1999
Vacco, Edwin A	Harassment Policy	02-02-2004
Van Meter, Frederick W	General-Harassment Policy	10-29-2003
Vanek, Aaron J	Sexual Harassment In The Workplace	03-17-2004
Vereb, Marie A	General-Harassment Policy	10-30-2003
Vojtko, Roger W	Harassment Policy	10-30-2003
Watson, Robert M	General-Harassment Policy	10-30-2003



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Weaver, Phillip J	Harassment Policy	10-30-2003
Weese, R Mike	General-Harassment Policy	10-06-2004
Weidler, Michael L	Harassment Policy	10-30-2003
Weidler, Patrick E	Sexual Harassment In The Workplace	06-02-1999
Weir, Walter R	Sexual Harassment In The Workplace	06-02-1999
Welton, Richard	Harassment Policy	10-29-2003
Weyeneth, William G	General-Harassment Policy	01-03-2005
Williams, Dale E	Harassment Policy	10-30-2003
Williams, Earnest	Sexual Harassment In The Workplace	06-03-1999
Wise, Bryan R	General-Harassment Policy	10-27-2003
Wood, Stephen D	Harassment Policy	10-29-2003
Woods, Richard J	Harassment Policy	10-29-2003
Wygant, Ronnie F	Harassment Policy	10-30-2003
Yaros, Louis C	Harassment Policy	10-30-2003
York, Trevor E	Harassment Policy	10-29-2003
Zeigler, Bruce M	Harassment Policy	10-29-2003
Zimmerman, Daniel A	Harassment Policy	10-29-2003
Zukowski, Richard M	Harassment Policy	10-30-2003
Count 406		
Grand Count 406		

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 9:00 a.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 01618	RICHARD L. PRICE	MIS	<i>Richard L. Price</i>
2 11-027	michael PACANSKY	QC	<i>michael Pacansky</i>
3 70025	DAVID R. STRUBEL	QA	<i>David R. Strubel</i>
4 01-474	Todd Daniels	QA	<i>Todd Daniels</i>
5 01556	DAVE FRUTTS	SEEE-IV	<i>Dave Frutts</i>
6 01622	Toroph J. MAYES	SEEE-IV	<i>Toroph J. Mayes</i>
7 70-045	DAVID J. ROCCO	SEEE-IV	<i>David J. Rocco</i>
8 70032	Russell C. Todd	M.E.	<i>Russell C. Todd</i>
9 01779	PETE McCORMICK	SEEE-IV	<i>Pete H. McCormick</i>
10 01589	FRANK POLANSKI	SEEE-IV	<i>Frank Polanski</i>
11 20201	Bob Konarsky	QA	<i>Bob Konarsky</i>
12 10078	Roger Vajtig	QA	<i>Roger Vajtig</i>
13 70079	DAVID ROGERS	SEEE-IV	<i>David Rogers</i>
14 05215	Nora King	SEEE-IV	<i>Nora King</i>
15 05543	Theron Thornton	SEEE-IV	<i>Theron Thornton</i>
16 01790	Melissa Sitter	Purch/HR	<i>Melissa Sitter</i>
17	Michele Imhoff	SEEE-IV	<i>Michele Imhoff</i>
18 01333	Patricia Scott	Purchasing	<i>Patricia Scott</i>
19 20014	David Stafford	Purchasing	<i>David Stafford</i>
20 01776	JACQUELINE GRAFF	PURCHASING	<i>Jacqueline Graff</i>
21 01709	Mari Vorb	Accounting	<i>Mari Vorb</i>
22 70011	Cathy Bernard	MIS	<i>Cathy Bernard</i>

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 9:00 a.m.

I have attended the above training and understand the contents that were presented.

	CLOCK #	NAME	DEPARTMENT	SIGNATURE
1	70-056	DAVID KUZMIN	Engineering	David Kuzmin
2	10-0747	DENNIS THOMPSON	SEE IV	Dennis Thompson
3	04060	LARRY BIGGIE	SEE IV	Larry Biggie
4	01667	TIM KUZMA	ENGR	Tim Kuzma
5	04165	FRANK GANT	DESIGNER	Frank Gant
6	01531	SHAWN JOHNSON	ENGR	Shawn Johnson
7	01031	BILL Darr	QC	Bill Darr
8	21010	TERRY LAVERTY	QA	Terry Lavery
9	05055	AL Clark	Mfg. Eng.	Al Clark
10	26-033	Denny Mooney	ME Dept	Denny Mooney
11	01734	David D. Dibble	Data Center	David D. Dibble
12	10040	James STELLMACH	MEG ENGR	James Stellmach
13	01360	Rik Johnson	Manu Eng	Rik Johnson
14	05383	Gaye Ferguson	Act	Gaye Ferguson
15	01315	Markine Smith	Act	Markine Smith
16	05639	KAREN A. DIBBLE	Accounting	Karen A. Dibble
17				
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PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Adams, Nancy	General-Harassment Policy	06-28-2004
Adolphson, John S	General-Harassment Policy	09-09-2004
Ahenger, Robert	General-Harassment Policy	02-23-2004
Aleksiewicz, Ronald J	Sexual Harassment In The Workplace	06-08-1999
Al-Isa, Ali	General-Harassment Policy	10-04-2004
Alloway, Keith J	General-Harassment Policy	01-31-2005
Anderson, Charles W	Sexual Harassment In The Workplace	06-08-1999
Anderson, Thomas F	Harassment Policy	10-30-2003
Andrews, Rachel J	General-Harassment Policy	07-30-2004
Angerer, Patrick W	Harassment Policy	10-29-2003
Antolik, Shelly M	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-02-1999
Atkinson, Steven A	General-Harassment Policy	11-11-2004
Bahny, Pamela A	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Bahny, Stephen R	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-03-1999
Baker, Richard H	Harassment Policy	10-29-2003
Banks, George J	Harassment Policy	10-30-2003
Barko, Louis G	Harassment Policy	10-29-2003
Barko, Robert S	Sexual Harassment In The Workplace	06-02-1999
Bartlett, Craig R	Harassment Policy	10-29-2003
Barton, Rodney L	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-03-1999
Barton, Toni M	Harassment Policy	10-30-2003
Bartosek, Richard A	Sexual Harassment In The Workplace	06-03-1999
Bateman, Douglas K	Harassment Policy	10-29-2003
Bateman, Thomas E	General-Harassment Policy	10-29-2003
Beiter, Russell R	Harassment Policy	03-17-2004
Belfiore, Daniel L	General-Harassment Policy	04-25-2004
Bell, Jack T	General-Harassment Policy	08-30-2004
Bernard, Catherine A	Harassment Policy	10-08-2004
Bernardini, Frances -	Harassment Policy	10-30-2003
Bernatowicz, Owen W	General-Harassment Policy	03-15-2004
Berry, Rodney W	Harassment Policy	10-30-2003
Bible, Gregory A	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-08-1999
Biebel, Robert B	General-Harassment Policy	07-26-2004
Biggie, Lawrence J	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Bish, Joseph L	General-Harassment Policy	09-09-2004
Bishop, Randall K	General-Harassment Policy	09-13-2004
Blass, Frederick A	Harassment Policy	10-30-2003
Bliche, Amy K	Harassment Policy	03-29-2004
Bloom, John C	General-Harassment Policy	12-29-2003
Bond, Clifford L	Harassment Policy	10-29-2003
Bova, John M	General-Harassment Policy	06-21-2004
Bowen, Richard T	Harassment Policy	10-30-2003
Brandon, James R	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-02-1999
Braswell, Bobby C	General-Harassment Policy	07-26-2004
Brockett, Linda M	General-Harassment Policy	03-08-2004
Buhi, Richard W	General-Harassment Policy	08-30-2004
Bushyager, David A	Harassment Policy	10-30-2003
Butch, James L	Harassment Policy	10-29-2003



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Butch, James L	Sexual Harassment In The Workplace	06-08-1999
Butler, Ronald E	Harassment Policy	10-29-2003
Byers, Christopher G	Harassment Policy	10-30-2003
Calladine, David C	Harassment Policy	10-29-2003
Camp, Patrick R	Harassment Policy	10-29-2003
Campbell, Kathleen M	Harassment Policy	10-30-2003
Campbell, Michael J	Harassment Policy	10-29-2003
Carroll, Matthew	General-Harassment Policy	01-26-2004
Casbohm, Eric J	General-Harassment Policy	06-10-2004
Chaffee, Donald J	General-Harassment Policy	05-20-2004
Cherry, William L	Harassment Policy	10-29-2003
Clark, Alan R	Harassment Policy	10-30-2003
Clinger, John C	Sexual Harassment In The Workplace	12-10-1991
Colonna, Michael F	General-Harassment Policy	10-29-2003
Comstock, Joseph A	Harassment Policy	10-29-2003
Cornell, Mark W	Sexual Harassment In The Workplace	06-03-1999
Cronin, Michael S	Harassment Policy	10-30-2003
Crosby, Tobren C	Harassment Policy	10-30-2003
Dana, Robert L	Harassment Policy	10-30-2003
Daniels, Todd R	Harassment Policy	10-30-2003
Darr, William R	Harassment Policy	10-30-2003
Deas, Jennifer L	Sexual Harassment In The Workplace	06-03-1999
Delavern, William R.	General-Harassment Policy	08-30-2004
Dersch, Lloyd S	General-Harassment Policy	01-12-2004
Dhumeen, Hamid D	Harassment Policy	10-29-2003
Dibble, Karen A	General-Harassment Policy	12-29-2003
Dick, William	Harassment Policy	10-30-2003
Diehl, William M	General-Harassment Policy	10-18-2004
Difilippo, Michael A	Harassment Policy	10-29-2003
Digello, David A	General-Harassment Policy	09-14-2004
Dinicola, David J	Harassment Policy	10-30-2003
Divido, Michael	Harassment Policy	10-30-2003
Dombrowski, Nancy J	General-Harassment Policy	07-26-2004
Donnell, Trevor A	Harassment Policy	05-03-2004
Donnell, William C	Harassment Policy	10-30-2003
Dority, Charles A	Sexual Harassment In The Workplace	10-29-2003
Drury, Michael J	Harassment Policy	03-17-2004
Dudzinski, Michael J	General-Harassment Policy	12-29-2003
Dunn, David G	General-Harassment Policy	10-30-2003
Ebisch, Thomas R.	Harassment Policy	01-12-2004
Edmiston, Ross N	General-Harassment Policy	10-31-2003
Edwards, Kyle A	General-Harassment Policy	11-09-2004
Egli, Frank J	Harassment Policy	03-24-2004
Elder, Edith F	General-Harassment Policy	10-29-2003
Elder, Ray D	Harassment Policy	10-29-2003
Elliott, Misty M	Sexual Harassment In The Workplace	06-03-1999
Ely, Leonard L	General-Harassment Policy	08-30-2004
Ely, Lysle A	Harassment Policy	10-29-2003
English, Jeffrey A	Sexual Harassment In The Workplace	10-29-2003
	Harassment Policy	06-03-1999



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Erickson, Douglas J	General-Harassment Policy	10-04-2004
Fahey, Warren T	Harassment Policy	10-30-2003
Farley, Lee N	Harassment Policy	10-29-2003
Fellows, Jesse D	Sexual Harassment In The Workplace	06-03-1999
Fellows, Justin	General-Harassment Policy	03-01-2004
Fellows, Richard D	Harassment Policy	10-29-2003
Ferguson, Dorothy G	Harassment Policy	10-30-2003
Ferrara, Tony P	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-03-1999
Fetterolf, Russell L	Sexual Harassment In The Workplace	06-03-1999
Field, James A	Harassment Policy	10-29-2003
Field, Kelly J	Harassment Policy	10-30-2003
Figurski, John J	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Fiolek, Kyle D	General-Harassment Policy	10-29-2003
Fiolek, Paul M	Harassment Policy	10-29-2003
Fish, Michelle	General-Harassment Policy	11-15-2004
Forinash, Laurie K	Harassment Policy	10-29-2003
Fortney, Eric W.	General-Harassment Policy	01-12-2004
Fullom, Eric L	Harassment Policy	10-29-2003
Gant, Frank W	Harassment Policy	10-30-2003
Gariepy, Kenneth P	General-Harassment Policy	07-06-2004
Gehrlein, Donald E	General-Harassment Policy	06-28-2004
Giaimo, Ruth Ann	General-Harassment Policy	01-03-2005
Giddings, Howard R	Harassment Policy	10-29-2003
Glavasevic, Kemo	General-Harassment Policy	03-22-2004
Godfrey, David L	Harassment Policy	10-29-2003
Gordon, Timothy J	Harassment Policy	10-30-2003
Gorecki, Edward J	General-Harassment Policy	07-06-2004
Gorny, David F	General-Harassment Policy	10-30-2003
Graden, Robert A	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-02-1999
Graff, Jacqueline	Harassment Policy	10-30-2003
Graff, Ronald G	Harassment Policy	03-17-2004
Graves, Bruce E	Harassment Policy	10-30-2003
Gregory, Gerald R	Harassment Policy	10-30-2003
Gresh, Edward J	Harassment Policy	10-29-2003
Guianen, Ronald C	General-Harassment Policy	09-07-2004
Haffley, Aaron D	Sexual Harassment In The Workplace	06-08-1999
Hagmaier, David J	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-08-1999
Haibach, Harold P	Harassment Policy	10-30-2003
Hale, Anthony	General-Harassment Policy	12-15-2004
Hall, Ernest H	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-03-1999
Hall, John F	General-Harassment Policy	10-30-2003
Hancock, James B	General-Harassment Policy	10-29-2005
Hanisek, Eileen M	Sexual Harassment In The Workplace	04-09-1999
	Sexual Harassment In The Workplace	12-10-1991
Hanson, Dale	General-Harassment Policy	07-06-2004
Hardik, Gary P	Sexual Harassment In The Workplace	06-02-1999
Harvey, Douglas A	Harassment Policy	10-29-2003
Hayes, Shawn E	Harassment Policy	10-29-2003
Heffren, Lawrence R	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-03-1999



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Heffren, Mark A	Harassment Policy	10-29-2003
Heinonen, Daniel	Sexual Harassment In The Workplace	06-03-1999
Henderson, David C	General-Harassment Policy	12-13-2004
Herrmann, Howard J	Harassment Policy	10-30-2003
Hilbert, William M	General-Harassment Policy	10-01-2004
Holden, Mark T	General-Harassment Policy	10-29-2003
Homan, Jay	Harassment Policy	10-29-2003
Hopkins, Roger L	General-Harassment Policy	12-15-2004
Horvath, John Z	Harassment Policy	10-29-2003
Hosack, John C	Harassment Policy	11-12-2003
Hough, Robert A	General-Harassment Policy	10-29-2003
Hudacky, Kirk T	General-Harassment Policy	06-08-2004
Huston, David H	General-Harassment Policy	09-13-2004
Iacobozzi, John T	General-Harassment Policy	08-17-2004
Janoski, Andrew J	Harassment Policy	10-29-2003
Johnson, Paul W	Sexual Harassment In The Workplace	06-02-1999
Johnson, Shawn W	Harassment Policy	10-30-2003
Joslin, Donna H	Sexual Harassment In The Workplace	06-08-1999
Keiper, Robert H	Harassment Policy	10-30-2003
Kelley, Thomas E	Sexual Harassment In The Workplace	06-02-1999
Kerner, Frederick A	Harassment Policy	06-08-1999
Ketcham, Daniel L	Sexual Harassment In The Workplace	10-29-2003
Kibbe, Michael J	General-Harassment Policy	06-10-2004
Kidder, Gary C	General-Harassment Policy	03-18-2004
King, Dale E	Harassment Policy	10-30-2003
King, George H	Sexual Harassment In The Workplace	06-02-1999
King, J Keith	General-Harassment Policy	05-04-2004
Kinnear, Stephen T	Harassment Policy	10-03-1999
Klein, Kenneth C	Harassment Policy	10-29-2003
Kleshcheynikov, Andrey I.	Harassment Policy	04-02-2004
Klobusnik, Michael	General-Harassment Policy	03-18-2004
Knapp, Alan L	Harassment Policy	05-13-2004
Komaromy, Robert V	Harassment Policy	10-30-2003
Korynoski, John L	Harassment Policy	10-30-2003
Krayeski, James A	General-Harassment Policy	05-01-2004
Krysiak, John J	Harassment Policy	10-29-2003
Kuhn, Daniel E	Harassment Policy	11-01-2004
Kupniewski, Kevin J	Harassment Policy	04-02-2004
Kuzma, Patricia L	General-Harassment Policy	11-29-2004
Kuzma, Timothy A	Harassment Policy	10-30-2003
Kuzmin, David M	Harassment Policy	10-30-2003
Laguardia, Karen M	Sexual Harassment In The Workplace	10-30-2003
Landis, Gerald W	Harassment Policy	06-02-1999
Langer, Daniel J	General-Harassment Policy	10-30-2003
Laprice, Richard J	Harassment Policy	06-25-2004
Lavery, Terry E	Harassment Policy	10-30-2003
	Harassment Policy	10-30-2003



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Layton, Brian	General-Harassment Policy	12-29-2003
Lemmon, Laura A	Harassment Policy	10-29-2003
Lewis, Jay D	Harassment Policy	10-29-2003
Lewis, Ronnie L	Sexual Harassment In The Workplace	06-08-1999
Licsko, Christine H	General-Harassment Policy	08-13-2004
Linsley, Peter C	Harassment Policy	10-30-2003
List, John C	Sexual Harassment In The Workplace	06-02-1999
Little, Daniel W	Harassment Policy	10-29-2003
Little, William J	Sexual Harassment In The Workplace	06-03-1999
Lobaugh, Ricky D	Harassment Policy	10-29-2003
Lopez, James A	Harassment Policy	10-30-2003
Lowe, Christopher G	Sexual Harassment In The Workplace	06-03-1999
Lunger, Kenneth L	Harassment Policy	10-30-2003
Lynch, James T	Sexual Harassment In The Workplace	06-08-1999
MacHinski, Scot A	Harassment Policy	10-29-2003
MacKes, Lee A	Sexual Harassment In The Workplace	06-02-1999
Maisner, Michael F	General-Harassment Policy	07-06-2004
Mando, Gregory A	General-Harassment Policy	06-21-2004
Marrale, David A	Harassment Policy	12-15-2003
Marzka, Richard A	Harassment Policy	10-29-2003
Mayes, Elmer Z	Sexual Harassment In The Workplace	06-02-1999
Mayes, Joseph J	Harassment Policy	10-30-2003
McCormick, Peter G	Harassment Policy	10-30-2003
McGaughey, J Michael	General-Harassment Policy	08-31-2004
McGee, John J	Harassment Policy	10-29-2003
McGuire, Erwin W	Harassment Policy	10-29-2003
McInchak, Michael S	Sexual Harassment In The Workplace	06-03-1999
McLaughlin, Gregory J	General-Harassment Policy	10-29-2003
Miller, Harry N	Sexual Harassment In The Workplace	06-03-1999
Mitchell, Roger Perry	General-Harassment Policy	05-12-2004
Mohr, Larry C	General-Harassment Policy	10-01-2004
Mooney, Christopher J	Harassment Policy	10-29-2003
Mooney, Leroy C	Harassment Policy	10-29-2003
Mundkowsky, William E	Sexual Harassment In The Workplace	06-03-1999
Myers, Alan G	Harassment Policy	10-29-2003
Nickerson, Alton W	Sexual Harassment In The Workplace	06-03-1999
Nine, Mark S	Harassment Policy	10-29-2003
Norton, Mark T	General-Harassment Policy	10-29-2003
Olinger, Robert C	Sexual Harassment In The Workplace	06-03-1999
Oliver, Clarence G	Harassment Policy	10-29-2003
Olmstead, Michael A	Sexual Harassment In The Workplace	06-03-1999
Pacansky, Michael G	Harassment Policy	10-29-2003
	Harassment Policy	10-30-2003



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Pace, William G	General-Harassment Policy	06-28-2004
Paris, Geraldine L	General-Harassment Policy	10-15-2003
Parker, Charles W	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-02-1999
Parker, Jeffrey C	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Parker, Jonas A	Harassment Policy	10-29-2003
Parrish, David L	Sexual Harassment In The Workplace	12-10-1991
Perez, Jesus V	Harassment Policy	10-29-2003
Phelps, Patrick A	General-Harassment Policy	12-29-2003
Phillips, Wayne G	Sexual Harassment In The Workplace	06-02-1999
Phillis, Jean M	Harassment Policy	10-29-2003
Pietrasiewicz, Shannon R	General-Harassment Policy	09-01-2004
Pintea, Larie R	Harassment Policy	10-30-2003
Pointer, Richard	General-Harassment Policy	11-05-2004
Polanski, Frank R	Harassment Policy	10-30-2003
Pollick, Frank W	Harassment Policy	10-30-2003
Porsch, Gary C	Harassment Policy	10-29-2003
Porter, Clyde W	Harassment Policy	10-29-2003
Porter, Lynn A	Harassment Policy	10-29-2003
Powell, Robert C	Harassment Policy	10-30-2003
Prichard, John H	Harassment Policy	04-02-2004
Ratajczak, James J	General-Harassment Policy	03-17-2004
Reinwald, James	Harassment Policy	10-30-2003
Rocco, David J	Harassment Policy	10-30-2003
Rodgers, David E	Harassment Policy	10-30-2003
Roemer, John G	Harassment Policy	10-30-2003
Rorabaugh, Cecil L	Harassment Policy	10-30-2003
Rose, Kevin R	Harassment Policy	03-17-2004
Roueche, James M	General-Harassment Policy	06-10-2004
Russin, Scott J	Sexual Harassment In The Workplace	06-08-1999
Ryan, Rex A	Sexual Harassment In The Workplace	06-03-1999
Ryan, Timothy M	Harassment Policy	10-29-2003
Sabol, Carl A	General-Harassment Policy	07-27-2004
Sabol, Diann J	Harassment Policy	10-30-2003
Sanchez, Javier -	Harassment Policy	10-29-2003
Sargent, Daniel F	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-03-1999
Sayers, Ronald R	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-08-1999
Schermer, William C	Harassment Policy	10-30-2003
Scott, James J	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Scott, Patricia G	Harassment Policy	10-30-2003
Seyler, Paul R	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-03-1999
Shallenbarger, Edward J	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-03-1999
Sharp, Ronald B	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-03-1999
Shearer, Timothy C	General-Harassment Policy	08-24-2004
Sheriff, Grant E	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Shields, Jamal A	Harassment Policy	10-29-2003
Silbaugh, James D	General-Harassment Policy	05-25-2004



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Silvis, Jesse M	General-Harassment Policy	06-21-2004
Smith, Charlene C	Harassment Policy	10-30-2003
Smith, Charles W	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-08-1999
Smith, Dennis D	General-Harassment Policy	11-18-2004
Smith, Jay A	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-08-1999
Smith, Jeffrey B	General-Harassment Policy	07-06-2004
Smith, Loren A	Harassment Policy	10-30-2003
Smith, Richard A	Sexual Harassment In The Workplace	06-03-1999
Smith, Robert L	Harassment Policy	10-29-2003
Soudan, Bradley A	General-Harassment Policy	11-17-2003
Spaulding, Mark D	Harassment Policy	10-29-2003
Spencer, William M	General-Harassment Policy	07-15-2004
Spinks, William C	Harassment Policy	10-29-2003
Stafford, David G	Harassment Policy	10-30-2003
Stellmach, Bruce A	Harassment Policy	10-29-2003
Stellmach, Duane A	Harassment Policy	10-30-2003
Stellmach, Judith A	Harassment Policy	10-29-2003
Stiles, Charles	Harassment Policy	10-29-2003
Strader, Randy L	Harassment Policy	10-29-2003
Straw, Gregory L	Harassment Policy	10-30-2003
Strazisar, David E	General-Harassment Policy	10-29-2003
Strazisar, Robert F	Harassment Policy	10-29-2003
	Sexual Harassment In The Workplace	06-02-1999
Surdy, Karen L	General-Harassment Policy	02-02-2004
Sutter, Melissa S	Harassment Policy	10-30-2003
Swaney, James K	Harassment Policy	10-30-2003
Szczutkowski, Ernest John	General-Harassment Policy	11-30-2004
Szymanski, Pamela L	Harassment Policy	10-29-2003
Tagle, Alfonso C	Harassment Policy	10-29-2003
Taylor, Lisa A	Harassment Policy	10-29-2003
Taylor, Richard L	Harassment Policy	03-24-2004
Taylor, Richard M	Harassment Policy	10-30-2003
Thompson, Charles A	Sexual Harassment In The Workplace	06-02-1999
Thompson, Thomas R	Sexual Harassment In The Workplace	06-03-1999
Thornton, Theron	Harassment Policy	10-30-2003
Thorr, Michael W	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Throop, Terry L	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-08-1999
Tbolewski, Mark D	Harassment Policy	10-30-2003
Todd, Russell C	Harassment Policy	10-30-2003
Tolhurst, Harland R	Harassment Policy	10-30-2003
	Sexual Harassment In The Workplace	06-02-1999
Tomlinson, Bradley T	Harassment Policy	10-30-2003
Turner, Ralph E	Harassment Policy	10-29-2003
Unger, James W	Sexual Harassment In The Workplace	06-08-1999
Uzelac, Christopher Sava	General-Harassment Policy	02-02-2004
Vacco, Edwin A	General-Harassment Policy	10-29-2003
Van Meter, Frederick W	General-Harassment Policy	03-17-2004
Vanek, Aaron J	Harassment Policy	10-30-2003
Vereb, Marie A	General-Harassment Policy	10-30-2003
Vojtko, Roger W	Harassment Policy	10-30-2003
Watson, Robert M	Harassment Policy	10-30-2003



PHB, Inc.  
Training list by course title

Full Name Backward	Course Title	Completion Date
Weaver, Phillip J	Harassment Policy	10-30-2003
Weese, R Mike	General-Harassment Policy	10-06-2004
Weidler, Michael L	Harassment Policy	10-30-2003
Weidler, Patrick E	Sexual Harassment In The Workplace	06-02-1999
Weir, Walter R	Sexual Harassment In The Workplace	06-02-1999
Welton, Richard	Harassment Policy	10-29-2003
Weyeneth, William G	General-Harassment Policy	01-03-2005
Weyeneth, William G	Harassment Policy	10-30-2003
Williams, Dale E	Sexual Harassment In The Workplace	06-03-1999
Williams, Dale E	Harassment Policy	10-30-2003
Williams, Earnest	Sexual Harassment In The Workplace	06-03-1999
Williams, Earnest	General-Harassment Policy	10-27-2003
Wise, Bryan R	Harassment Policy	10-29-2003
Wood, Stephen D	Harassment Policy	10-29-2003
Woods, Richard J	Harassment Policy	10-29-2003
Wygant, Ronnie F	Harassment Policy	10-30-2003
Yaros, Louis C	Harassment Policy	10-30-2003
York, Trevor E	Harassment Policy	10-29-2003
Zeigler, Bruce M	Harassment Policy	10-29-2003
Zimmerman, Daniel A	Harassment Policy	10-29-2003
Zukowski, Richard M	Harassment Policy	10-30-2003
Count 406		
Grand Count 406		

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 9:00 a.m.

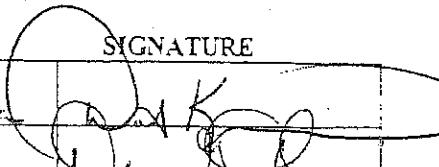
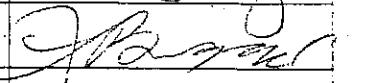
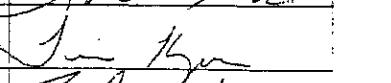
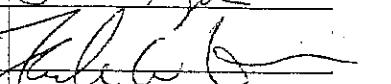
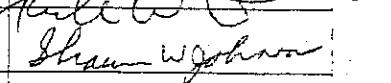
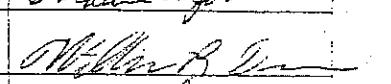
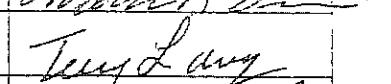
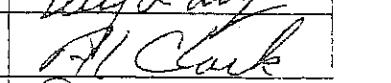
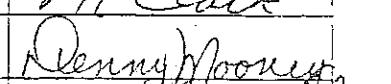
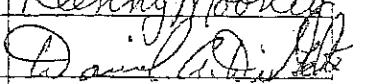
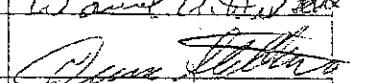
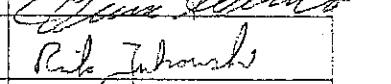
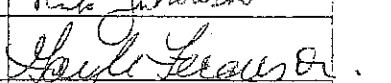
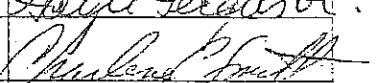
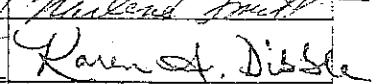
I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 01418	RICHARD L. PRICE	MIS	<i>Richard L. Price</i>
2 11-027	michael PACANSKY	QC	<i>michael Pacansky</i>
3 70025	DAVID R. STRUBEL	QA	<i>David R. Strubel</i>
4 01-474	Todd Daniels	QA	<i>Todd Daniels</i>
5 01556	Dave FRUTTS	SEEE-IV	<i>Dave Frutts</i>
6 C1622	Joseph J. MAYER	SEEE-IV	<i>Joseph J. Mayer</i>
7 70-0445	DAVID J. ROCCO	SEEE-IV	<i>David J. Rocco</i>
8 70037	Russell C. Todd	M.E.	<i>Russell C. Todd</i>
9 01779	PETE McCORMICK	SEEE-IV	<i>Pete A. McCormick</i>
10 01589	Frank POLANSKI	SEEE-IV	<i>Frank Polanski</i>
11 20201	Bob Konciarsky	QA	<i>Bob Konciarsky</i>
12 10078	Roger VAITKO	QA	<i>Roger Vaitko</i>
13 70079	DAVID ROGERS	SEEE-IV	<i>David Rogers</i>
14 05215	Nora King	SEEE-IV	<i>Nora King</i>
15 05547	Theron Thornton	SEEE-IV	<i>Theron Thornton</i>
16 01790	Melissa Sitter	Purch/HR	<i>Melissa Sitter</i>
17	Michele Tabinow	SEEE-IV	<i>Michele Tabinow</i>
18 01333	Patricia Scott	Purchasing	<i>Patricia Scott</i>
19 20014	Daniel Stefford	Purchasing	<i>Daniel Stefford</i>
20 01776	JACQUELINE GRAFF	PURCHASING	<i>Jacqueline Graff</i>
21 01709	Maria Vorab	Accounting	<i>Maria Vorab</i>
22 70011	Cathy Bernard	MIS	<i>Cathy Bernard</i>

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 9:00 a.m.

I have attended the above training and understand the contents that were presented.

	CLOCK#	NAME	DEPARTMENT	SIGNATURE
1	70-056	DAVID KULMIN	Engineering	
2	10-0767	DENNIS THOMPSON	SEE IV	
3	041060	HARRY BIGGIE	SEE IV	
4	01467	TIM KUZMA	ENGR	
5	04165	FRANK GANT	DESIGNER	
6	01331	SHAWN JOHNSON	ENGR	
7	01031	BILL DAVIS	QC	
8	21010	TERRY LAVERY	QA	
9	05055	AL Clark	Mfg. Eng.	
10	26-033	Denny Mooney	ME Dept	
11	01734	Dawn Di Bello	Data Center	
12	10040	James STELLMACH	MFG. ENGR.	
13	01360	Rik Johnson	Manu Eng	
14	05383	Heidi Ferguson	Act	
15	01315	Maclene Smith	Act	
16	05639	KAREN A. DIBBLE	Accounting	
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HR-301

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03  
 INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 2:00 p.m.

I have attended the above training and understand the contents that were presented.

	CLOCK #	NAME	DEPARTMENT	SIGNATURE
1	00024	TIMOTHY M. RYAN	10	Timothy M. Ryan
2	01752	Louis Barko	ADC	Louis Barko
3	01-410	Jay D. Lewis	ADC	Jay D. Lewis
4	01-303	WALTER WEIR	ALUM. FNSP	Walter Weir
5	01-601	JESUS U. REVERZOR	ADC	Jesus U. Reverzor
6	01-751	Shawn Hayes	ADC	Shawn Hayes
7	00-145	George King	TRIM	George King
8	01640	JAYLER SANCHEZ	ZINC	Jayler Sanchez
9	01606	Mike Campbell	ZINC	Mike Campbell
10	01603	Jamal Shields	ADC	Jamal Shields
11	10-007	Greg Bivie	INS.P	Greg Bivie
12	01658	Stephen Kenneac	ZINC	Stephen Kenneac
13	01059	LARRY MOHR	ZINC	Larry Mohr
14	01654	DOUG Bateman	ADC	Doug Bateman
15	01-714	JONAS PARKER	ZDC	Jonas Parker
16	01714	Mark Holden	ADC	Mark Holden
17	01788	MIKE McINCHAK	ZINC	Mike McInchak
18	01274	ALAN G MYERS	ADC	Alan G Myers
19	01781	Dave Sweeney	ZINC	Dave Sweeney
20	01783	Howard Giddings	ZDC	Howard Giddings
21	01786	Kyle Folek	ZINC	Kyle Folek
22	01757	BOB Smith	ADC	Bob Smith

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 2:00 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 014129	Roger Hopkins	ADC	Roger L Hopkins
2 01-792	Ed Vacco	Die Cast	Ed Vacco
3 70-607	Ben Hauke	H.R.	B. Hauke
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 2:30 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 00139	C. Stiles	maint	Charles Stiles
2 60008	Wm Ditch	Maint	William Ditch
3 01-495	J. M. G. E	MAINT	J. M. G. E
4 01379	P. Lindsay	SET-UP	P. Lindsay
5 01-610	J. Field	SET UP	J. Field
6 01535	Bruce Zegar	maint	Bruce Zegar
7 10-081	Leonard Ely	crib	Leonard Ely
8 01298	Jim Butch	MAINT	Jim Butch
9 10-121	Bill Cherry	maint.	Bill Cherry
10 01252	Bill Little	MAINT	Bill Little
11 12003	Richard Fellows	Maint	Richard Fellows
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 2:30 p.m.

I have attended the above training and understand the contents that were presented.

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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 3:00 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 40 010	Daniel Zimmerman	Shipping	Daniel Zimmerman
2 012093	Karen Lammom	ZDC	Karen Lammom
3 01-335	Laurie Fornash	ZDC	Laurie Fornash
4 01293	Doug Harvey	ZDC	Doug Harvey
5 40-022	ERIC FULLOM	SHIPPING	Eric Fullom
6 20-090	DAVE GODFREY	Shipping	David L. Godfrey
7 40-009	TOMMY HOSACK	SHIPPING	Tommy Hosack
8 01015	Lloyd S. Detsch	ZDC	Lloyd S. Detsch
9 Q-4107	RONALD BUTLER	Zinc	Ronald Butler
10 10154	LYNN PORTER	ZDC	Lynn Porter
11 10055	Lee H. Farley	ZDC	Lee H. Farley
12 01-404	Randy Stader	ZDC	Randy Stader
13 20028	JAY SMITH	AI. Inc.	Jay Smith
14 10-032	ELIZABETH BOARD	ZDC	Elizabeth Board
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 3:30 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 01273	Mark Heffren	ADC	Mark Heffren
2 10 063	Rick Baker	ADC	Rick Baker
3 10105	Rodney Baston	ZOC	Rodney Baston
4 01-269	Paul Soyer	Process Control	Paul Soyer
5 16-035	DON SHAFFER	INSPECTION	Don Shaffer
6 10-067	Erwin McGuire	Z.D.C.	Erwin McGuire
7 20-174	Dan Little	TRIM	Dan Little
8 20-128	John List	Dispatch	John List
9 70-033	Jean Phillips	Customer Service	Jean Phillips
10 01645	Shelly Antolik	HR	Shelly Antolik
11 20062	Thomas Kelley	Tool Room	Thomas Kelley
12 20-089	Richard Marek	TRIM	Richard Marek
13 10-1411	Gary Ferhardt	ADC	Gary Ferhardt
14 01-538	Pam Szymanski	QA	Pam Szymanski
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10-30-03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 7<sup>AM</sup>

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1	Judy Stellmach	ADC	Judy Stellmach
2	Brace Stellmach	AOC	Brace Stellmach
3	Bill Spaulder	Tool crib	Bill Spaulder
4	Dan Pouch	ADC	Dan Pouch
5	Patrick Angerer	ADC	Patrick R. Angerer
6	Richard J. Woods	AOC	Richard J. Woods
7	Geffrey A. English	ZDC	Jeffrey A. English
8	Ralph E. Turner	ZDC	Ralph E. Turner
9	David Palladino	AI	David Palladino
10	Bryan Wise	ADC	Bryan Wise
11	Ed Gresh	ADC	Ed Gresh
12	Trevor York	ADC	Trevor York
13	JAMES BRANDON	ADC	James Brandon
14	MATTHEW CAMPBELL	ZDC	Matthew Campbell
15	Tim Lynch	ZDC	Tim Lynch
16	Ron Oliver	ADC	Ron Oliver
17	MARK D SPAULDER	Tool crib	Mark D. Spaulder
18	Jim Kraycik	ZDC	Jim Kraycik
19	Stephen Wood	ZDC	Stephen Wood
20	Bob Olinger	ZDC	Robert C. Olinger
21	Craig Bartlett	ZDC	Craig Bartlett
22	Anny Janoski	MAINT	Anny Janoski

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10-3-03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 7<sup>th</sup> AM

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1	016446 Edith Elder	ADC	Edith Elder
2	016448 LISA TAYLOR	ZDC	Lisa Taylor
3	01539 AL Tagle	ZDC	Al Tagle
4	01787 ALTON NICKELSON	ADC	Alton Nickelson
5	01782 John Clinger	ZDC	John Clinger
6	01661 DAVID MARRALE	ADC	David Marrale
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 7:30 a.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 66-005	Clyde PORTER	Maint.	Clyde Porter
2 60-013	Bob Graden	Maint.	Bob Graden
3 10-133	JOE Comstock	Process	Joseph Comstock
4 10-136	BOB STRAZISAR	DIE CAST	Bob Strazisar
5 10-106	CHUCK PARKER	DIE CAST	Chuck Parker
6 01-625	Chuck Donithy	Maint	Chuck DT
7 10-019	Lysle A. Ely	ADC	Lysle A. Ely
8 10-022	John Incabozzi	ADC	John Incabozzi
9 10-113	LeRoy Mooney	Process	LeRoy Mooney
10 01-271	Scott Machinski	QC	Scott Machinski
11 10-103	Ray E Elder	ADC	Ray E Elder
12 01-613	Pat Camp	ADC	Pat Camp
13 01-747	Paul Frolek	ZDC	Paul Frolek
14 20-103	Michael A. O'Connell	ZDC	Michael A. O'Connell
15 12-010	William Mundkowsky	TRIM	William Mundkowsky
16 10-110	MARK S. NINE	ZDC	Mark Nine
17 20-146	Dale Wilson	Trim	Dale Wilson
18 20009	Donna H. Justin	Trim	Donna H. Justin
19 01-096	Larry Herren	Trim	Larry Herren
20 20-114	KELLY FIELD	MAINTS	Kelly Field
21 76-010	LOREN Smith	ADC	Loren Smith
22 01-466	Wm C DONNELL	Maint.	Wm C. Donnell

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

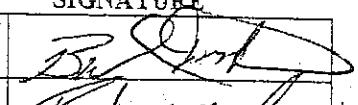
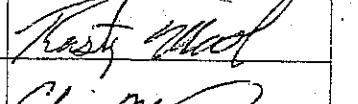
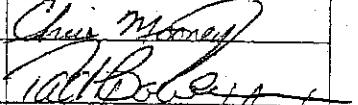
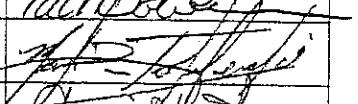
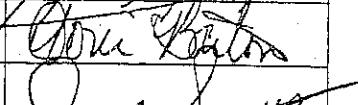
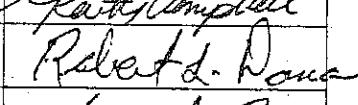
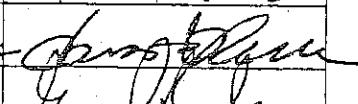
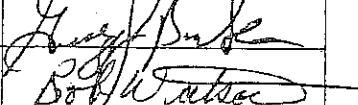
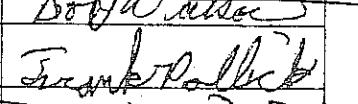
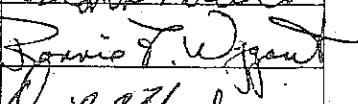
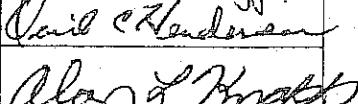
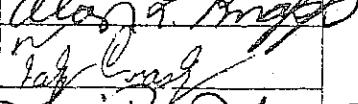
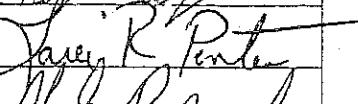
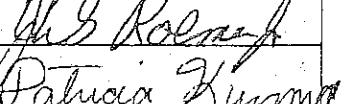
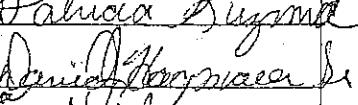
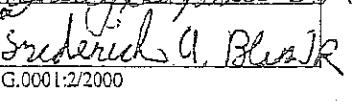
INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 7:30 a.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 70062	JEFFrey C. Parker	Metallurgy	Jeff C. Parker
2 01502	GRANT SHERIFF	Mgmt	Grant Sheriff
3 61780	Geli Palis	HR	Geli Palis
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03  
 INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 3:00 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 01537	BRAD Tomlinson	TRIM	
2 01580	Rusty Mook	Trim	
3 01523	Chris Mooney	TRIM	
4 10085	Tad Bowen	Trim	
5 20-071	MARK D. TOBOLEWSKI	Trim	
6 01-571	Toni Barton	TRIM	
7 01-509	JAMES SWANEY	TRIM	
8 01593	Kathy Campbell	Receptionist	
9 04136	Robert L. Dana	Tool room	
10 01-292	Jim Reinwald	Maintenance	
11 01-510	George Banks	Remelt	
12 10-102	Bob Wilson	Maint	
13 20-086	Frank Pollack	Maint.	
14 10-092	Ronnie F. Wygant	Maint	
15 10-143	DAVID C. HENDERSON	MAINT.	
16 60-003	ALAN L. KNAPP	MAINT	
17 01-753	Toby C. Crosby	TRIM	
18 01320	Larie Pinter	TRIM	
19 61-001	John Roemer Jr	TRIM	
20 01422	Patty Kuyoma	Trim	
21 10052	DAVID J. HAGMAIER SR.	Trim	
22 11-004	FRED BlASS JR	TRIM	

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 3:00 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 30026	DAVID BUSHYEAGER	TRIM	<i>David Bushyager</i>
2 20133	Son Chelsox		
3 01065	Lou Yaros	Tool Rm	<i>Lou Yaros</i>
4 10-060	Gordy Garrett	Tool RM	<i>Gordon Garrett</i>
5 11-020	Mike Pretz	Tool Crib	<i>Mike Pretz</i>
6 01017	Rick Lebrigh	Alum. Diecast	<i>Rick Lebrigh</i>
7 10-094	Donald Gregory	Tool R.	<i>Donald Gregory</i>
8 20-066	James Lopez	Alum Die Cast	<i>James Lopez</i>
9 20149	Kenneth Lungier	Alum TRIM	<i>Kenneth Lungier</i>
10 20-021	Mark Connell	Maint.	<i>Mark Connell</i>
11 01-370	DAVID DUNN	Trim	<i>D. Dunn</i>
12 12-005	John Keith Kog	Tool Room	<i>John Keith Kog</i>
13 01396	Rodney Berry	Maint.	<i>Rodney Berry</i>
14 20117	Bill Schermer	Alum. O.C.	<i>Bill Schermer</i>
15 20131	MIKE COLONNA	ADC	<i>Mike Colonna</i>
16 10153	WARREN FARNÉY	ADC	<i>Warren Farnéy</i>
17 20087	Richard M. Taylor	TRIM	<i>Richard M. Taylor</i>
18 20110	GAROLD MEKKER	TR.	<i>Garold Mekker</i>
19 04044	ROBERT C POWELL	TR	<i>Robert C Powell</i>
20 10-056	MARK NORTON	TR	<i>Mark Norton</i>
21 50008	GREG STRAW	T. R.	<i>Greg Straw</i>
22 20-087	Charles Smith	T.R.	<i>Charles Smith</i>

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 3:00 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 20-007	Leroy Kightlinger	TOOL ROOM	Leroy Kightlinger
2 01-341	Carol DiNicola	TRIM	Carol DiNicola
3 05-560	Keith D. Hansek	TRIM	Keith D. Hansek
4 01728	Aaron Vaneck	Trim	Aaron Vaneck
5 01736	Chris Byeon	TRIM	Chris Byeon
6 01-295	DIANN SABOL	TRIM	Dian Sabol
7 01237	Philip Weaver	TRIM	Philip Weaver
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 8:15 a.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 1076	Jim Scott	QA	<i>Jim Scott</i>
2 36004	Gary K. Odde	QA	<i>Gary K. Odde</i>
3 10-054	Elmer M. Myres	ADC	<i>Elmer M. Myres</i>
4 01-459	TREVOR DOWELL	ZDC	<i>Trevor Dowell</i>
5 01383	STEVE BAHNY	METAL	<i>Steve Bahny</i>
6 10059	Ron Sharp	ADC	<i>Ron Sharp</i>
7 10074	RON SAYERS	ADC	<i>Ronald B. Sayers</i>
8 01-008	ERNIE HALL	Tool Room	<i>Ernie Hall</i>
9 01-247	JOHNS F. HALL	MAINT	<i>John F. Hall</i>
10 20-142	Mike Thor	ADC	<i>Mike Thor</i>
11 10-005	TERRY THROOP	ADC	<i>Terry Throop</i>
12 01062	Butch Parabrough	MAINT	<i>Butch Parabrough</i>
13 01793	Dave Gornay	MAINT	<i>Dave Gornay</i>
14 26-011	DAN SARGENT	PROD. CONTROL	<i>Dan Sargent</i>
15 20-177	Ed Shallenberger	Train Set-up	<i>Ed Shallenberger</i>
16 11-023	W <sup>m</sup> G. Weyeneth	D.C.	<i>W<sup>m</sup> G. Weyeneth</i>
17 07108	FRAN BERNARDINI	QA	<i>Fran Bernardini</i>
18 11-03092	Daniel Langen	Purchasing	<i>Daniel Langen</i>
19 01-087	Michael Cronin	QA	<i>Michael Cronin</i>
20 11-013	Tim Gordon	QA	<i>Tim Gordon</i>
21 70 066	FRED KERNER	Prod. Cont	<i>Fred Kerner</i>
22 70 055	PAUL JOHNSON	Engr'g	<i>Paul Johnson</i>

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 8:15 a.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 04034	Harold Maibach	MFC-ENCA	Harold Maibach
2 10-161	Mike Wudlue	Zmc DC	Michael Wudlue
3 70047	Pam Baly	Act.	Pamela Baly
4 70043	Christine Lisko	Payroll	Christine Lisko
5 70057	Karen LaGuardia	MIS	Karen LaGuardia
6 01645	Shelly Antoline	HR	Shelly Antoline
7 01079	Tony Ferrata	MIS	Tony Ferrata
8 70010	Howard R. Taubert JR.	Cops	Howard R. Taubert JR.
9 01591	Trace Figueroa	Finance	Trace Figueroa
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HR 301

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 2:00 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 10024	TIMOTHY M. RYAN	10	Timothy M. Ryan
2 01752	Louis Barko	ADC	Louis Barko
3 01-410	Jay D. Lewis	ADC	Jay D. Lewis
4 01-303	WALTER WEIR	Alum. Inst.	Walter Weir
5 01-601	Jesus V. Perez Jr.	ADC	Jesus V. Perez Jr.
6 01751	Shawn Hayes	ADC	Shawn Hayes
7 20-145	George King	TRIM	George King
8 0164C	DALEER SANCHEZ	ZINC	Daleer Sanchez
9 01606	Mike Campbell	ZINC	Mike Campbell
10 01603	Jamal SHIELDS	ADC	Jamal Shields
11 10-001	Greg B. Cole	Inst P	Greg B. Cole
12 01658	Stephen Finnegan	ZINC	Stephen Finnegan
13 01059	LARRY MOHR	ZINC	Larry Mohr
14 01654	DOUG Bateman	ADC	Doug Bateman
15 01-714	JONAS PARKER	ZDC	Jonas Parker
16 01714	Mark Holden	ADC	Mark Holden
17 01788	MIKE McINNIGH	ZINC	Mike McInnigh
18 01274	ALAN G MYERS	ADC	Alan G Myers
19 01781	Dave Sprezze	ZINC	Dave Sprezze
20 01783	Howard Giddings	ZDC	Howard Giddings
21 01786	Kyle Folek	ZINC	Kyle Folek
22 01757	BOB Smith	ADC	Bob Smith

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 2:00 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 01429	Roger Hopkins	ADC	Roger Z Hopkins
2 01-792	Ed Vaccaro	Die Cast	Ed Vaccaro
3 70-607	Ben Shmucke	HR	Ben Shmucke
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 2:30 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 00139	C. Stiles	maint	Carlo Stiles
2 60008	Wm Dill	Maint	William Dill
3 01-495	J. Mc GEE	MAINT	J. Mc Gee
4 01379	P. Lindsay	SET-UP	P. Lindsay
5 01-610	J. FIELD	SET UP	J. Field
6 01535	Bruce Ziegler	MAINT	Bruce Ziegler
7 10-081	Leonard Ely	cris	Leonard Ely
8 01298	Jim Butch	MAINT	Jim Butch
9 10-121	Bill Cherry	maint.	Bill Cherry
10 01252	Bill Little	MAINT	William Little
11 12003	Richard Fellows	Maint	Richard Fellows
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 2:30 p.m.

I have attended the above training and understand the contents that were presented.

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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 3:00 p.m.

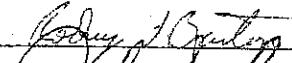
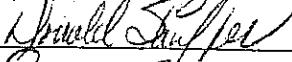
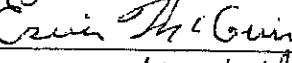
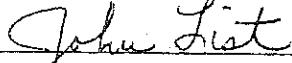
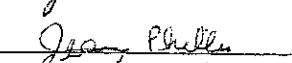
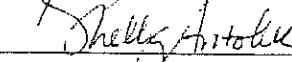
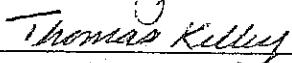
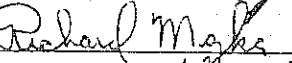
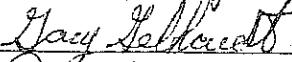
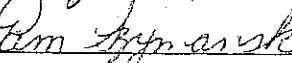
I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 40 010	Daniel Zimmerman	Shipping	Daniel Zimmerman
2 01-293	Kurt Lemmon	ZDC	Kurt Lemmon
3 01-335	Laurie Fornash	ZDC	Laurie Fornash
4 01293	Doug Harvey	ZDC	Doug Harvey
5 40-022	ERIC FULLOM	SHIPPING	Eric Fullom
6 20-090	DAVE GODFREY	SHIPPING	David B. Godfrey
7 40-009	JOHN HOSACK	SHIPPING	John Hosack
8 01015	Lloyd S-Dersch	ZDC	Lloyd Dersch
9 Q-407	Ronald Butler	Zinc	Ron Butler
10 10154	LYNN PORTER	ADC	Lynn Porter
11 10055	Lee H Failey	ZDC	Lee H. Failey
12 01-404	Randy Strader	ZDC	Randy L Strader
13 20008	JAY SMITH	AI INNS	Jay Smith
14 10-032	ELIZABETH BOND	ADC	Elizabeth Bond
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/29/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 3:30 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 01273	Mark Heffren	ADC	
2 10 063	Rick Baker	ADC	
3 10105	Rodney Barton	ZDC	
4 01-269	Paul Saylor	Process Control	
5 16-035	Don Shaffer	INSPECTION	
6 10-067	Erwin McGuire	Z.D.C.	
7 20-174	Dan Little	Trim	
8 20-128	John List	Dispatch	
9 70-033	Jean Phelan	Customer Service	
10 01645	Shelly Antolik	HR	
11 20062	Thomas Kelley	Tool Room	
12 20-089	Richard Marek	TRIM	
13 10-1411	Gary Feibhardt	ADC	
14 01-538	Pam Szymanski	QA	
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10-3-03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 7<sup>AM</sup>

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 01-718	Judy Stellmach	ADC	Judy Stellmach
2 01596	Bruce Stellmach	ADC	Bruce Stellmach
3 11-019	Bill Spangler	Tool crib	Bill Spangler
4 01089	Day Pouch	ADC	Day Pouch
5 01656	Patrick Angerer	ADC	Patrick Angerer
6 01-493	Richard Woods	ADC	Richard J Woods
7 01772	Jeffrey A English	ZDC	Jeffrey A ENGLISH
8 10-159	Ralph E Turner	ZDC	Ralph E. TURNER
9 1685	David Calladine	AI	David Calladine
10 01769	BRYAN Wise	ADC	Bryan Wise
11 01574	Ed Gresh	ADC	Ed Gresh
12 01759	Trevor York	ADC	Trevor York
13 10-021	JAMES BREWTON	ADC	James R. Brewton
14 01624	MATTHEW CAMPBELL	ZDC	Matthew Campbell
15 01042	Tim Lynch	ZDC	Tim Lynch
16 01-067	Ron Oliver	ADC	Ron Oliver
17 10-035	MARK D. SPAULDRIDGE	Tool crib	Mark D. Spauldrige
18 01-494	Jim Kraycik	ZDC	Jim Kraycik
19 01550	Stephen wood	ZDC	Stephen wood
20 01-575	Bob Olinger	ZDC	Robert C. Olinger
21 01-729	Craig Bartlett	ZDC	Craig Bartlett
22 01321	Amy Janosky	MAIN	Amy Janosky

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10-3-03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 7<sup>th</sup> AM

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1	EITH EIDER	ADC	Eith Eider
2	LISA TAYLOR	ZDC	Lisa Taylor
3	AL Tagle	ZDC	Al Tagle
4	ALAN NICKELSON	ADC	Alan Nickelson
5	John Clinger	ZDC	John Clinger
6	DAVID MARRALL	ADC	David Marrall
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 7:30 a.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 66-005	Clyde Porter	MAINT.	Clyde Porter
2 60-013	Bob Graden	Maint.	Bob Graden
3 10-133	JOE COMSTOCK	PROCESS	Joseph Comstock
4 10-136	BOB STRAZISAR	DIE CAST	Bob Strazisar
5 10-106	CHUCK PARKER	DIE CAST	Chuck Parker
6 01-625	Chuck Dority	Maint	Chuck Dority
7 10-019	Lysle A. Ely	ADC	Lysle A. Ely
8 10-022	John Incabozzi	ADC	John Incabozzi
9 10-113	LeRoy Mooney	ACCESS	LeRoy Mooney
10 01-271	Scott Machinski	QC	Scott Machinski
11 10-103	Ray D Elder	ADC	Ray D Elder
12 01-613	Pat Camp	ADC	Pat Camp
13 01-747	Paul Frotek	ZDC	Paul Frotek
14 20-103	Michael A O'Instead	ZDC	Michael A O'Instead
15 12-010	William Mundkowsky	TRIM	William Mundkowsky
16 10-110	Marks Nine	ZDC	Marks Nine
17 20-146	Dale Killian	TRIM	Dale Killian
18 20009	Donna H. Justin	TRIM	Donna H. Justin
19 01-096	Larry Hertzen	TRIM	Larry Hertzen
20 20-114	KELLY FIELD	MAINTS	Kelly Field
21 76-040	LOREN SMITH	ADC	Loren Smith
22 01-466	Wm C Donneck	Maint.	Wm C Donneck

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 7:30 a.m.

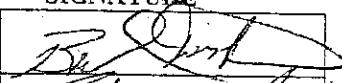
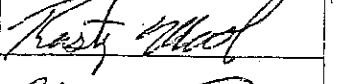
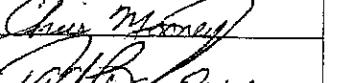
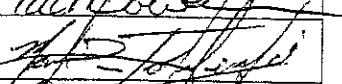
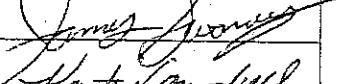
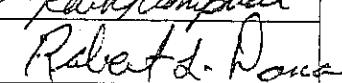
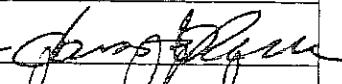
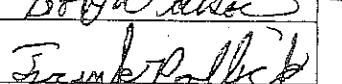
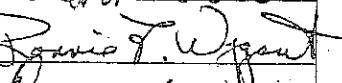
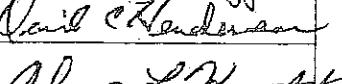
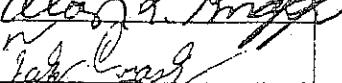
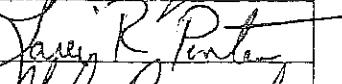
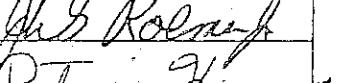
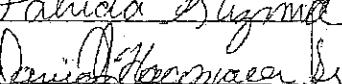
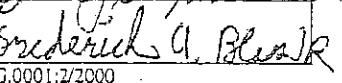
I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 70062	JEFFrey C. Parko	METALLURGIST	Jeffrey C. Parko
2 01502	GRANT SHERIFF	MAIN	Grant Sheriff
3 61786	Geli Tally	HR	Geli Tally
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TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 3:00 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 01537	BRAD Tomlinson	TRIM	
2 01580	Rusty Mock	Trim	
3 01523	Chris Mooney	Trim	
4 10085	Tad Bowen	Trim	
5 20-071	MARK D. TOBOLEWSKI	Trim	
6 01-571	Toni Barton	Trim	
7 01-509	JAMES SWANEY	Trim	
8 01593	Kathy Campbell	Receptionis	
9 04136	Robert L. Dana	Tool room	
10 01-292	Tim Penward	Maintenance	
11 01-510	George BANKS	Remelt	
12 10-102	Bob Watson	Maint	
13 20-086	Frank Pollick	Maint.	
14 10-092	Ronnie F. Wygant	Maint	
15 10-143	DAVID C. HENDERSON	MAINT.	
16 60-003	ALAN L. KNAPP	Maint	
17 01-753	Toby C. Crosby	TRIM	
18 01320	Lanie Pinter	TRIM	
19 61-001	John Roemer Jr	TRIM	
20 01422	Patricia Kuzma	Trim	
21 10052	DAVIN J. HAGMAIER SR	Trim	
22 11-004	FRED BLESS JR	TRIM	

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 3:00 p.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 30026	DAVID BANSHYEAGER	TRIM	<i>David Banshyager</i>
2 20133	Tom Alberox		
3 01065	Lou Yaros	Tool Rm	<i>Lou Yaros</i>
4 10-060	Gordy Garrett	Tool RM	<i>Gordy Garrett</i>
5 11-070	MIKE PRETZ	TOOL CRIB	<i>Mike Pretz</i>
6 C1017	RICK LOBUGH	Alum. DCCS	<i>Rick Lobugh</i>
7 10-094	Geordi Gregory	Tool R.	<i>Geordi Gregory</i>
8 20-066	James Lopez	Alum Die Cast	<i>James Lopez</i>
9 20149	Kenneth Lungar	Alum TRIM	<i>Kenneth Lungar</i>
10 20-021	Mark Connell	MAINT.	<i>Mark Connell</i>
11 01-370	DAVID DUNN	Trim	<i>D. Dunn</i>
12 12-005	John Keith King	Tool Room	<i>John Keith King</i>
13 01396	Rodney Berry	Maint.	<i>Rodney Berry</i>
14 20117	BILL SCHERMER	Alum. O.C.	<i>Bill Schermer</i>
15 20131	MIKE CALONNA	ADC	<i>Mike Calonna</i>
16 10153	WARREN PALEY	ADC	<i>Warren Paley</i>
17 20087	Richard m. Taylor	TRIM	<i>Richard m. Taylor</i>
18 20110	GAROLD MECKER	TR.	<i>Garold Mecker</i>
19 09044	ROBERT C POWELL	TR	<i>Robert C Powell</i>
20 10-056	MARK NORTON	TR	<i>Mark Norton</i>
21 50008	GREG STRAW	T. R.	<i>Greg Straw</i>
22 20-084	Charles Smith	T.R.	<i>Charles Smith</i>

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 3:00 p.m.

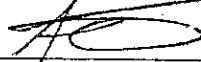
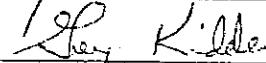
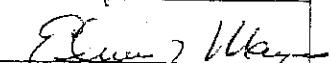
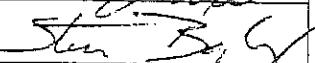
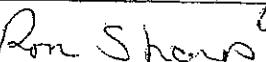
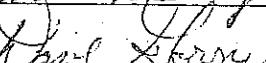
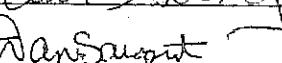
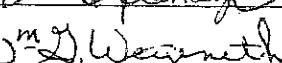
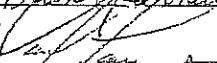
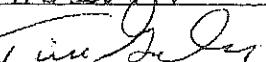
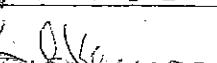
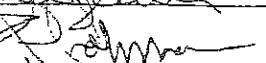
I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 20-007	Leroy Kittinger	TOOL ROOM	Leroy Kittinger
2 01-341	David DiNicola	TRIM	David DiNicola
3 05-560	Keith D. Hansek	TRIM	Keith D. Hansek
4 01728	Aaron Vaneck	Trim	Aaron Vaneck
5 01736	Caris Byer	Trim	Caris Byer
6 01-295	DIANN SABOL	TRIM	Diann Sabol
7 01737	Philip Weaver	Trim	Philip Weaver
8			
9			
10			
11			
12			
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17			
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19			
20			
21			
22			

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 8:15 a.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1 1076	Jim Scott	QA	
2 360041	Gary K. Odde	QA	
3 10-054	Elmer M. Hayes	ADC	
4 01-459	TREVOR DOWELL	ADC	
5 01383	STEVE BAHN	METAL	
6 10059	Ron Sharp	ADC	
7 10074	Ron SAYERS	ADC	
8 01-008	Ernie HALL	Tool Room	
9 01-247	JOHN F. HALL	MAINT	
10 20-142	Mike THORR	ADC	
11 10-005	Terry THOMPSON	ADC	
12 01062	Butch Rorabaugh	MAINT	
13 01793	Dave GORNY	MAINT.	
14 26-011	DAN SARGENT	PROD. CONTROL	
15 20-177	Ed Shellenberger	TRIM SETUP	
16 11-023	W <sup>m</sup> G. Weyeneth	D.C.	
17 07108	FRAN BERNARDINI	QA	
18 11-03092	Daniel Langm	Purchasing	
19 01-087	MICHAEL CRONIN	QA	
20 11-013	Tim Gordon	QA	
21 70066	FRED KERDER	PROD. CONT	
22 70055	PAUL JOHNSON	Engg's b	

TRAINING TOPIC: HARASSMENT TRAINING DATE: 10/30/03

INSTRUCTOR: RICHARD ZAMBOLDI, ESQ. TIME: 8:15 a.m.

I have attended the above training and understand the contents that were presented.

CLOCK #	NAME	DEPARTMENT	SIGNATURE
1	04034 Harold Maibach	MFG Eng	Harold Maibach
2	10-161 Mike Wudler	Zinc DC	Michael Wudler
3	70047 Pam Bay	Act.	Pamela Bay
4	70043 Christine Lusko	Payroll	Christine Lusko
5	70057 Karen LaGuardia	MIS	Karen LaGuardia
6	01645 Shelly Antalik	HR	Shelly Antalik
7	01079 Tony Ferrata	MIS	Tony Ferrata
8	70010 Michael R. Tuckett JR.	Cors	Michael R. Tuckett JR.
9	01591 Trace Figueria	Finance	Trace Figueria
10			
11			
12			
13			
14			
15			
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17			
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19			
20			
21			
22			

# Exhibit 40

## All Deposition Transcripts

# Exhibit 41



7900 WEST RIDGE ROAD  
FAIRVIEW, PENNSYLVANIA 16415  
Phone: 814/474-5511  
Fax: 814/474-2063  
website: www.phbcorp.com

20

TO: .....

RE: MON DAY

3-14-05

BOB BARKO TOLD ME,

TAKE HEFFERN TOLD HIM,

THE BEST PART OF

HENRY, RAN DOWN HIS

MOTHER'S LEG.

1142 A.M.

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PHB Machining Division • PHB Molding Division

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Fax: 814/474-2063  
website: www.phbcorp.com

20

TO:

RE: MON DAY 3-14-05

RICK BAKER ASKED

ME TO SWEEP UP

THAT ZINC ON THE FLOOR

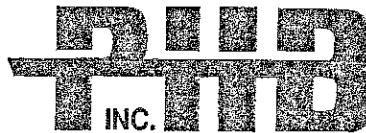
SWEEP OUT MY OFFICE,

AND SHINE MY SHOES.

10:22 A.M.

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PHB # 01-980-0218





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TO:

11-24-04 12:22 PM

RE:

I asked Bill Donnell  
if I was still closer to  
do Martin's work, he said,  
"I don't know if why you  
asked, you ~~don't~~ don't do  
anything anyway"!!

Witnesses Clyde Porter  
Bill Cherry?

11-24-04 1:16 pm

Fitting Was leaving at  
Central Supply I said I  
will fix it Rex Ryan  
said don't ~~take~~ have him  
fix it He will just ~~fix~~  
it up! Witness Paul Saylor Ron Butler

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TO: \_\_\_\_\_

RE: \_\_\_\_\_

On Wed 3-5-03, 9:20 A.M.  
I went in to Main Office and  
asked for Dodge Truck Keys,  
Foreman said Lou had the  
Dodge and he would be back  
in 15-20 mino., as I ~~had~~ was  
at the door way, Scott Feller  
came out of his office and asked  
if Butler Smith was here Bill  
Downell said what. Scott said  
is Butler Smith ~~way~~ here Bill  
Downell White sitting in his chair  
turned to me, look into my face  
and said ~~ouch~~ <sup>ya</sup> he's ~~he's~~ going  
~~your~~ <sup>ouch</sup> face off, and took big fingers,  
and ~~Wep~~ <sup>Wep</sup> his mouth, and then

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TO: \_\_\_\_\_

RE: \_\_\_\_\_

*I laughed, and I said looks like  
I meant for you to do anything  
during shutdown. He told me  
you won't be working any more  
shutdown. I worked out of office*

*Witness*

*Jess Fellows*

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TO:

RE:

FRIDAY 5-28-84

8:12 AM

MIKE THORR

A handwritten signature consisting of stylized initials and the surname 'DONNELL'.

BILL DONNELL IS

TRYING TO CONSIDER

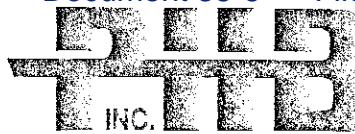
UP SOMETHING TO

FIRE YOU

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TO: MIKE THORR LIST  
RE: Wed 5-7-03 2:10 PM,

Mike & Mike Black when at the  
north Wall of Plant talking and  
Mike Black was smoking with him.

Thursday 5-22-03 10:40  
Mike Sprayed Kerosene on my Back  
with Spray Gun from P.P. Unit &  
Mike Black laughed about it.  
Chet Batch Terry Sordy

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website: www.phbcorp.com

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TO:

RE: WEDNESDAY 6-2-04  
10:15 AM

TERRY THROOP

You GET YOUR SELF  
INTO MORE SHIT AROUND  
HERE. You BETTER BE  
CARFUL !!

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website: www.phbcorp.com

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TO: .....  
RE: SON DAY 6-6-04 9105 AM

COPY PHILLIPS

4 Do you know why NIGERS  
DON'T HAVE NIGHTMARES?

THE LAST ONE THAT DID  
GOT SHOT IT.

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